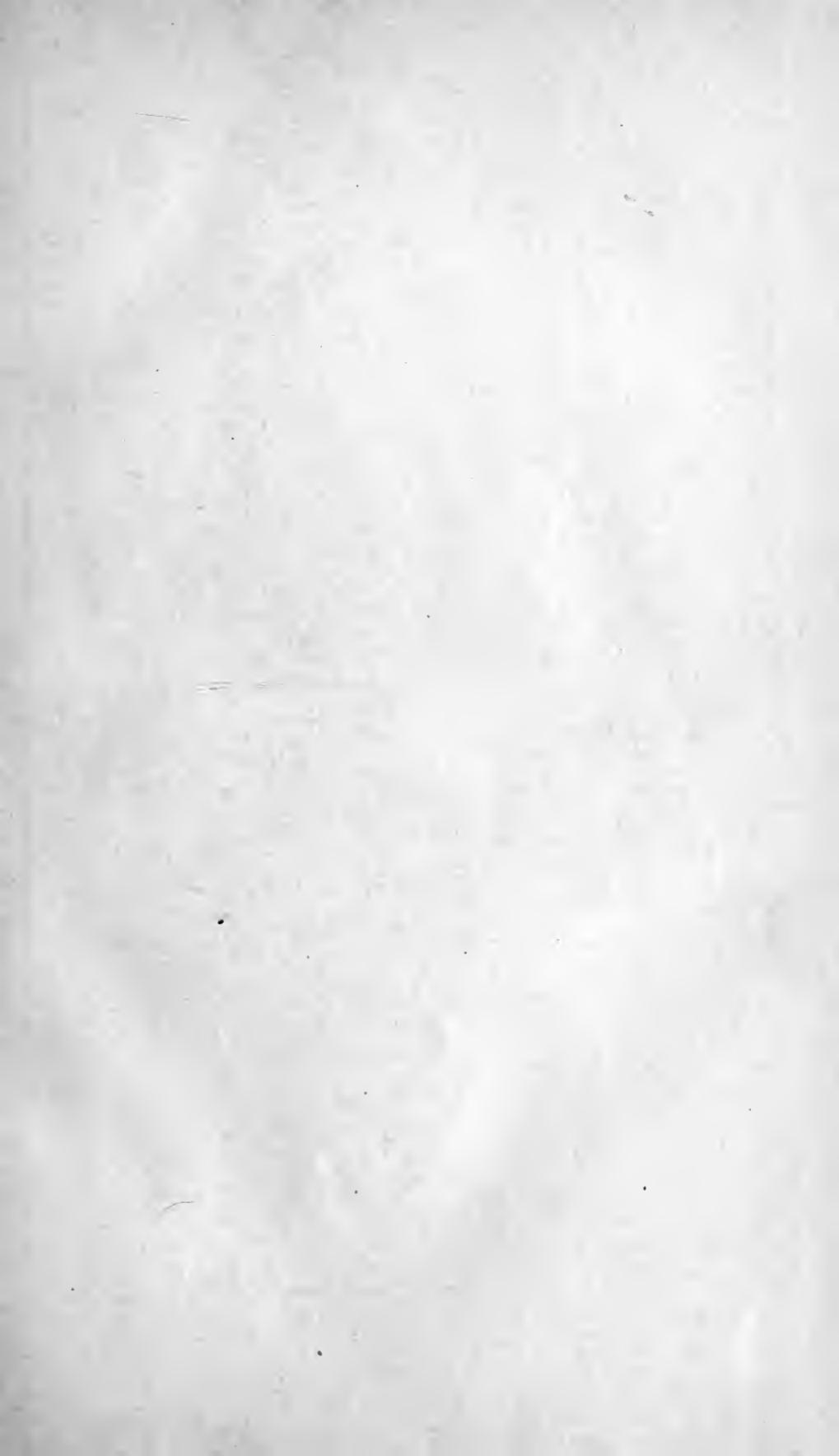


Class TF 308

Book W 325

copy 3







U. S. Congress:

HOUSE COMMITTEE ON THE DISTRICT OF COLUMBIA.

248
1999
Part 7

REPORT OF HEARINGS

OF

JUNE 12 AND 18, 1902,

ON

S. 4825: TO PROVIDE FOR A UNION RAILROAD STATION
IN THE DISTRICT OF COLUMBIA, AND
FOR OTHER PURPOSES.

PRINTED FOR USE OF THE COMMITTEE.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1902.

LIBRARY OF CONGRESS
RECEIVED

AUG 20 1963

DOCUMENTS DIVISION

9.0.1.2/26/2-3

T.F.
W308
copy
73
W345

CONTENTS.

	Page.
Statement of Mr. John P. Green, vice-president of the Pennsylvania Railroad Company	5
Statement of Mr. George E. Hamilton, local counsel for Baltimore and Ohio Railroad Company	15
Statement by Mr. B. H. Warner	23
Statement of Mr. R. H. Johnson, chairman of the special railroad committee of the South Washington Citizens' Association	25
Letter from South Washington Citizens' Association	28
Memorial of South Washington Citizens' Association	32
Letter from Mr. S. L. Phillips	38
Letters from Mr. Albert Herman and Mr. I. Herman	38
Protest from citizens of South Washington, opposing amendments suggested by the South Washington Citizens' Association	40
Statement of Mr. William G. Henderson, president of the North Capitol and Eckington Citizens' Association	40
Letter from Mr. Vernon H. Whitman	43
Statement of Mr. M. I. Weller, representing the East Washington Citizens' Association	43
Statement of Mr. Evan H. Tucker, president of the Northeast Citizens' Association	45
Report adopted by Northeast Citizens' Association	47
Statement of Mr. William J. Frizzell, representing the Northeast Citizens' Association	49
Statement of Mr. Josiah Millard, representing the East End Citizens' Association	51
Resolutions adopted by East End Suburban Citizens' Association	54
Statement of Mr. Thomas W. Smith, president of the Washington Board of Trade	55
Statement of Mr. Irwin B. Linton	58
Statement of Dr. Morgan	60
Statement of Mr. M. D. Rosenburg	60
Statement of Mr. Herbert Giesy	62

APPENDIX.

Comparative statements showing public space now occupied, to be occupied under act of February 12, 1901, and to be occupied under proposed legislation by the Baltimore and Ohio Railroad Company	66
Comparative statements showing public space now occupied, to be occupied under act of February 12, 1901, and to be occupied under proposed legislation by the Baltimore and Potomac Railroad Company	67
Report of Secretary of War on S. 4825	68
Additional report of Col. Theodore A. Bingham	70
Senate report on union-station bill	71
House and Senate reports on Baltimore and Potomac Railroad, Fifty-sixth Congress, second session	94
House and Senate reports on Baltimore and Ohio Railroad, Fifty-sixth Congress, second session	128
Baltimore and Potomac Railroad Company act, approved February 12, 1901	151
Baltimore and Ohio Railroad Company act, approved February 12, 1901	161
Letter from Mr. Thomas W. Smith, president Washington Board of Trade	169
Report of East Washington Citizens' Association	170
Letter from Mr. A. J. Buehler	171
Letter from Mr. W. Mosby Williams	171
Letter from Capt. J. P. Walker	172
Letter from S. S. Daish & Sons	174
Letter from President of Columbia Institution for the Deaf and Dumb	174
Letter from the President of the Brightwood Citizens' Association	174
Newspaper articles submitted by Mr. Joseph Bradfield	175



UNION RAILROAD STATION.

COMMITTEE ON THE DISTRICT OF COLUMBIA,
HOUSE OF REPRESENTATIVES,
Thursday, June 12, 1902.

Present: Messrs. Babcock, Mudd, Jenkins, Mercer, Smith, Pearre, Wadsworth, Morrell, Blackburn, Stewart, Cowherd, Norton, Sims, and McAndrews.

The committee met at 10.55 o'clock a. m., Hon. Joseph W. Babcock in the chair.

The CHAIRMAN. Gentlemen, of course it is understood that this meeting is called to take up the so-called union station bill, and Mr. Green, the vice-president of the Pennsylvania Railroad Company, is present, and as he wants to leave the city as soon as possible, we will hear him first.

STATEMENT OF MR. JOHN P. GREEN.

Mr. GREEN. Mr. Chairman and gentlemen, I presume that the committee certainly must be at least generally familiar with the question presented by the bill. It is not a new one, except so far as the question of a union station is concerned. The question of location of the railroad stations in the District of Columbia has been before different committees of the House and Senate for thirty years past. It was thirty years ago when I first came here to talk about it, and it has been talked about pretty much ever since; so that the committee have the advantage of a general understanding as to what the merits of the question are.

As far as the special bill No. 4825 which now comes before you is concerned, I do not think I can define the position of the railroads on this matter any better than by quoting the language of the chairman of the Senate committee. He says that this proposition does not come from the railroads. They are satisfied with their present condition. But when the question of taking up the tracks on the Mall is considered, it is appreciated that the Mall was laid out for the purpose of forming a great approach to the Capitol, and that it is impossible to conceive any adequate treatment of the capital park system without freeing the Mall from the tracks.

When this situation was placed before the president of the Pennsylvania Railroad, which is the road I have the honor to represent, he replied after careful consideration that while he did not desire any change, yet he realized that if Washington is to have the proper development of a capital city in the true sense of that word and as originally projected the railways must leave the Mall, and that he was willing to concur in any adjustment of the matter which would be fair to the

stockholders of the company. From an economical standpoint, it is but right to say that the terminal charges at the proposed union station will be increased from 40 cents to \$1.20 a passenger car without any corresponding increase of passengers.

The CHAIRMAN. Will you not please make that clear to the committee, the increase of your expenditures?

Mr. GREEN. Owing to the increased cost and capacity of the building and the increased force to run it, the cost of the actual administration of that building will be \$1.20 for every passenger car that comes into it; and I beg to say that while that might seem a high price, yet in St. Louis, which has even a larger station than is proposed here, the cost is nearly \$3 a car; so that you can see that the chairman of the Senate committee is well within limits when he states that \$1.20 will be the actual cost of administering this union station.

The CHAIRMAN. Under the present situation, with several stations, can you state the cost of administering them?

Mr. GREEN. No, sir; but I can say that the cost is far less than it would be with one large station. In other words, it is easier to run two comparatively small stations than it is to run an enormous union station, just as it is easier to run two houses for two separate families than it is to put them in one great house and attempt to run that. As a matter of house economy I think that most of the members of the committee will recognize that as true.

The CHAIRMAN. Does the charge include the bridge?

Mr. GREEN. No, sir; that is the charge in the station.

Mr. COWHERD. The bridge belongs to the same persons.

Mr. GREEN. No, sir; I am speaking of the station charge. You know the St. Louis station, and you know that you have to walk about half a mile if you want to have your baggage checked. I mean that everything of that kind seems to increase in almost geometrical proportion. It is enormously expensive, one of the most expensive things in the world, to run a large passenger station.

The CHAIRMAN. You consider it undesirable on account of the additional expense?

Mr. GREEN. This is not a question of what the railroads may desire. The public have an interest in that question that is as important as that of the railroads, and so far as our Pennsylvania Railroad Company is concerned, we have never stopped at increased cost if it secured increased accommodation to the public. We believe that is the way to run railroads, especially when the work connected with it is what you might call a semipublic duty. Therefore, without reading further from the report, I would say that our feeling toward the question is not a mere financial one.

When the Pennsylvania Railroad came here, the first question that was discussed was, away back in 1872, whether the company would furnish to the city of Washington and to the people of the country a proper passenger station, and I remember very well that Colonel Scott said, "Yes, we will do that;" and the station that was put up at that date was on a par with the best stations we had on our line.

The station at Lancaster, Pa., was taken as the model for this station, which has long since become utterly inadequate to do the business. It is not disgraceful to us, because it is not our fault, but it is almost disgraceful to have a station like that in the city of Washington, wedged and jammed so that no one, either man or woman, can sit

there comfortably or go in or out comfortably; and we realize that. But while we have been anxious, and would have been glad to make that station one that would be a credit to us and to the city, yet, for the reasons known to the gentlemen of the committee, we could not. We have used every foot of the Mall that we had the right to occupy, but the enormous development of the South since our road came into Washington and the enormous passenger travel between Florida and the North have simply made that station a flea-bite compared to what it ought to be.

Then, when the question came up of getting suitable ground in the Mall, another matter came up in which you gentlemen here in Washington are more closely interested than anybody else can be—that is, the absolute necessity of removing the grade crossings in the city. It is too late to discuss that as a policy. It is the policy of the world, and it is the policy which has controlled in England ever since railroads began to be built; but it is only in the last fifteen or twenty years that the railroads in this country have realized that it is to the interest of themselves as well as of the public that the grade crossings should be abolished.

That is a difficult question here, and it is only a short time ago that the engineer commissioner of the District set himself to work, after we had thrashed over one scheme and another, and a plan was found for doing away with the grade crossings. That was provided in the bill of 1899, which requires an expenditure of \$3,000,000 on account of the Baltimore and Potomac Railroad, to carry it into effect, counting the Long Bridge which is a part of the scheme. Therefore, when that became a law, and the Baltimore and Ohio bill became a law, we thought that the question was settled, and we went to work to rebuild the railroad.

It was after that had been done that we understood that the people interested in Washington and its prosperity thought that the original plan under which this Mall had been laid out ought not to be departed from, and that if a very extensive passenger station was put upon that Mall, and the business of the country north and south was brought into that station, practically the question of removing the railways from the Mall was settled, because it would hardly be right for anybody, for even the Government of the United States and the city, to waste the amount of money that it would require in the future to get rid of that station.

Therefore when that knowledge came to us, first, I think, through a commission that has that matter in charge, and afterwards through the Senate committee, when they came to us with the question. "Will you be willing to have the present legislation abandoned and to have a union station together with the Baltimore and Ohio Railroad?" it was only then that we felt that after all the question was not settled, and that, like Banquo's ghost, it was up again.

But the policy of the Pennsylvania Railroad is as far as possible to meet the wishes of the people of the cities through which it runs, and I am only saying what is sound business sense when I say that, for it can not prosper unless it has the cordial support of the cities which give it traffic. Therefore in Newark and New Brunswick, and every large city between Philadelphia and New York, we are spending millions of dollars to do the very thing that is to be done here—remove the grade crossings; and so far as terminal stations are concerned, we

are about to spend \$40,000,000 to get into the city of New York and to put up a terminal station there which will be worthy of that city.

We can go into New York and build a comparatively good-looking station, and one that will take care of our business, and save several million dollars, but we do not think that is the way to treat either the city of Washington or New York; and while this bill requires the Baltimore and Potomac road to spend three or four million dollars more than under the bill of 1891, we realize that it is the capital of the country, that business will increase here, and that in regard to a station located near the Capitol there ought to be harmony between the architecture of such a station and the architecture of the Capitol, and we can not stand in the way of what appeals to us esthetically, as this does.

The CHAIRMAN. Before you go further, please explain to the committee wherein the expenditure of three to four million dollars would be imposed upon the Baltimore and Potomac road.

Mr. GREEN. Of course that is to be a joint station, and one-half of that cost is to be paid by the Baltimore and Ohio and one-half by the Baltimore and Potomac.

The CHAIRMAN. Well, then, that three to four million dollars is the additional expense to the terminal company?

Mr. GREEN. That is the same thing, because it is owned by the two roads.

The CHAIRMAN. That is, you mean the Baltimore and Ohio and the Baltimore and Potomac?

Mr. GREEN. Yes, sir; they own all its stock.

The CHAIRMAN. You own both lines—both the Baltimore and Ohio and the Pennsylvania?

Mr. GREEN. No, sir. The Pennsylvania Railroad and the Northern Central own the Baltimore and Potomac road, and that road will have to pay for its share of the terminal stock out of its treasury, so that practically it comes out of our pockets.

The CHAIRMAN. I understand that; but the three to four million dollars additional would be, on the whole—

Mr. GREEN. That three and one-half million dollars comes out of the pockets of the Baltimore and Potomac Company.

The CHAIRMAN. That is what I wanted to get.

Mr. GREEN. You will find in Senator McMillan's bill that he gives the figures very carefully. The Baltimore and Ohio under the bill will be thrown back from its present location, and as far as these freight facilities are concerned, will occupy a less advantageous position as compared with the present location, with an actual increase of expense to them, if Senator McMillan's figures are correct, of three to four hundred thousand dollars. But the increased cost to the Baltimore and Potomac road of one-half of the station and the tunnel line, and the expenditures for right of way and real estate in connection with that will require us to take \$3,500,000 out of our treasury more than we would have done under the bill of 1891.

Of that \$3,500,000 the bill would give the Baltimore and Potomac back \$1,500,000, and in doing that it puts us on the same footing exactly as the bill of 1901 puts the Baltimore and Ohio. The Baltimore and Ohio, under this plan, gets rid of the perilous grade crossings on its line, and the Government, in order to make it square and to do what every large city is doing and has done to-day, is willing to con-

tribute half of that expense. One-half of that expense to the Baltimore and Ohio is \$1,500,000.

Now the bill before the committee says to the Baltimore and Potomac road: As we counted the Mall against you in the bill of 1901, as our contribution toward the expense of removing the grade crossings, now that you surrender the Mall, and that you have to go out and buy the real estate for the new union station, we are willing to put you on the same footing as the Baltimore and Ohio road.

The CHAIRMAN. I do not think that you have quite made this clear to the committee, in reference to the additional expenditure of \$3,500,000 to \$4,000,000.

Mr. GREEN. Yes, sir.

The CHAIRMAN. You state that the depot under the present law was to cost \$1,500,000 to \$2,000,000?

Mr. GREEN. Yes, sir.

The CHAIRMAN. Now, I understand the proposed depot is to cost \$4,000,000.

Mr. GREEN. Yes, sir.

The CHAIRMAN. One-half of that would be \$2,000,000.

Mr. GREEN. Yes, sir.

The CHAIRMAN. That would still leave \$3,000,000 additional expense for the Baltimore and Potomac road. Where does that come in?

Mr. GREEN. I will give you the figures right here, from one of the Government documents. The cost, under the bill of 1901, of revising the old line through the tunnel—that is, where they come into the city on the east—would be, in round figures, \$1,520,000; the branch from Virginia avenue to the station is, in round figures, \$400,000; the passenger station and train shed, \$1,220,000; the Long Bridge, \$750,000, and real estate which we have to purchase, \$570,000; so that our entire expenditure under the original plan would be \$4,400,000.

Now, under the new plan, we have to pay one-half of the cost of the tunnel which is to run between the Capitol and the Congressional Library to connect up our tracks. We count the station at \$1,000,000, although we are quite clear that before we get through it will cost nearer \$5,000,000 than \$4,000,000, and therefore, as joint holders with the Baltimore and Ohio, we charge ourselves with half of that—\$2,000,000. One-half of the cost of tunnel to connect our present line with the union station is \$825,000, the line running north from the station in order to get connection with our present line at Magruder station, where we will connect with our present line, and the necessary real estate and right of way will cost about \$2,900,000. That make \$5,700,000 of actual expenditure under the new bill.

Now, if you add to that the cost of elevating and depressing our tracks through Washington, and the cost of rebuilding the old bridge, which, as before stated, aggregates \$2,270,000, you get an aggregate of \$7,970,000, or about \$3,500,000 more under the new bill than under the old.

The CHAIRMAN. That includes the new line out of the city and in Maryland?

Mr. GREEN. We can not get to the union station without that new line.

Mr. SIMS. This is made necessary by the change?

Mr. GREEN. Yes, sir; and that is the only way that our engineers have been able to get the two lines together to make this connection with the union station.

MR. SIMS. It appears from your statement, Mr. Green, that it is an economic advantage to the railroad companies to accept the benefit of existing legislation rather than to have this new legislation?

MR. GREEN. Yes, sir.

MR. SIMS. Now, should Congress adjourn without passing this or some bill would the companies go ahead and act upon the existing legislation so as to make this union depot an impossibility if not provided for at this session?

MR. GREEN. Oh, well, Congress must not leave us astraddle of a rail. We are going ahead and spending large amounts of money, and we take it that Congress must certainly have as great an interest in this as we have. When the bill of 1901 was passed we accepted it in good faith. Now, if the nation and Congress does not want a union station we ought to know it. We can not wait here and hold all our financial plans in abeyance as we are now doing, indefinitely, and it would put us in a very unfortunate position, and I would hardly like to say how we would act. We could not wait another year, because there would be no assurance of any more definite action next year than this year.

We can not, in justice, wait; we can not stop; we must do something. I think if any of you gentlemen will go to the station down here any afternoon, you will say that our people can not remain quiet and patient under the condition of affairs there. It is a disgrace to us and a disgrace to the city of Washington that nothing has been done upon this subject, and if nothing is done at this session, we would be apt to say, "Congress does not propose to do anything, and does not feel interest enough to take this up and do it, and we will have to do it ourselves and spend the money."

We would have to take it up and consider what it was right to do for the interests of Washington and for the interests of our property, and, while we would not animadvert upon Congress, I think we would feel that Congress had not given sufficient attention to this—not the attention that it deserves. We might be entirely wrong, of course -----

MR. SIMS. In the condition that the two companies find themselves, with the existing legislation, if the bill is to become law, it is important that it should become the law at this session of Congress?

MR. GREEN. It is of vital necessity. I do not know of anything more so. We are holding up the whole of our work, and are doing nothing, just for that reason.

MR. SIMS. And if the bill is not passed at this session you can not say that the company will not go ahead under existing legislation?

MR. GREEN. No, sir; I could not do that. We simply take the view, in this, of railroad people. We are like you, gentlemen. We occupy positions of trust for our shareholders, as you gentlemen do for the people of the United States. It is simply what we shall do for our shareholders and the public, and if there is something that should be done and has not been done we would simply feel it our duty to do it. That is a duty that we can not avoid.

MR. SIMS. I wanted to ask you about your statement as to the \$40,000,000 that you are to spend in New York. Does New York City, the municipality of New York, contribute anything to that?

MR. GREEN. No, sir; they do not contribute anything in money, but we have to make our bargains with the Rapid Transit Commission. We do get from them the use of the streets, in which way we get

something far more important than money, because it would be simply impracticable for us to buy a private right of way through the city of New York, and therefore, when they give us the use of the streets, even though they couple that privilege with a rental, they are contributing materially to the work.

Mr. MERCER. The reason you request the Government and the municipality here to contribute to the work here is because of these changes in legislation?

Mr. GREEN. Yes, sir; because the bill of 1901 is satisfactory to us, and as far as the Baltimore and Ohio is concerned—of course, I have no right to speak for them—they have not felt very kindly toward this bill at any time. I think Mr. Loree feels as we do, that he can not stand in the way of this improvement.

Mr. MUDD. I understand the position of yourself and the Baltimore and Ohio Railroad Company to be in this that you would be perfectly satisfied with any proposition to postpone this action indefinitely?

Mr. GREEN. It would hardly be safe to say that. A year ago I would have said so, unreservedly; but we believe that what this bill is trying to do is right. We believe that there should be a union station where it can be erected at a reasonable expense, and we believe that the scheme on which the Mall was originally laid out should be preserved in its entirety.

Mr. MUDD. You are speaking of the Mall, and the beautification of the city, and that your company takes a deep interest in the city of Washington—

Mr. GREEN. Just as we do in all the large cities through which we run. We can not disserve ourselves from the cities which give us business, and we feel the reflex action of the thought of the people in the large cities. We are doing it in many cities to-day where the railroad is not getting an additional cent by it, and it is going to cost us a large amount of money, but we really feel that it is right.

Mr. MUDD. I want to get at this.

Mr. GREEN. Yes, sir.

Mr. MUDD. You want this not entirely because it is needful, but also because you feel that it is a demand. I wanted to get at this: Whether you not only want it because you need it, but also you are doing it in response to the demand of Congress and of the people of the District of Columbia.

Mr. GREEN. We are doing it in response to that, but when you say that we do not desire that bill, that I could not say, because I think to a certain extent we do.

Mr. MUDD. In other words, you prefer the union depot and recommend it, instead of your present situation; but if that is not to be adopted, you are satisfied as you are. You are doing it in response to this demand?

Mr. GREEN. That is entirely true. We never would have done this unless it had come from the gentlemen to whom I have referred; but when it comes we can not look at it as an outsider would, and we can not say that the union station is not a good thing, because we believe in union stations, and we can not say that it is not a good idea to beautify and adorn the city of Washington, because we believe that it is. and we are willing to go ahead and spend this additional money out of our treasury, if they want it.

Mr. MUDD. You said that you pay half the cost of the tunnel—the tunnel around in the front of the Capitol here?

Mr. GREEN. Yes, sir; between the Capitol and the Library. We pay half of that.

Mr. COWHERD. You speak of other cities sharing a proportion of the cost that you bear with them?

Mr. GREEN. Yes, sir.

Mr. COWHERD. And you stated the cost in New York. Is that right, that they give you a line through the streets of the city?

Mr. GREEN. Yes; at a rental for putting our tunnel under the streets of the city.

Mr. COWHERD. And that is a portion of the \$40,000,000 that you are spending there?

Mr. GREEN. Please remember also that that includes a good deal of work in Brooklyn and New Jersey, besides that in the city of New York.

Mr. COWHERD. And in the city of Washington they include as a part of the right of way a number of streets, and that is not included in the consideration?

Mr. GREEN. No, sir; they do not charge us anything for it.

Mr. COWHERD. So that what New York contributes and charges for Washington contributes and gets no allowance for?

Mr. GREEN. Yes, sir; but you are probably not old enough to recollect the situation when we came here. We came here in order to give the country traversed by our Western lines a direct connection with the national capital.

Mr. COWHERD. I am not speaking of the situation when you came here.

Mr. GREEN. Washington was very glad to have us come in upon those terms, and we are on the streets here by authority of Congress, whereas we are not in New York now, but are applying for permission to enter that city.

Mr. COWHERD. But the additional right of way over the streets is not—

Mr. GREEN. They do not give us any new rights of way on the streets.

Mr. COWHERD. You come in through a tunnel and have all of Delaware avenue going out the other way.

Mr. GREEN. And we furnish a new avenue on the west side of Delaware avenue in return for that.

Mr. COWHERD. Then, you are getting something additional.

Mr. GREEN. But they are requiring us to pay \$3,000,000 for it.

Mr. COWHERD. That is not even counted in as a part of the contribution of the city.

Mr. GREEN. We have to pay \$3,000,000 for something; that is plain; and if we are not paying it for that, what are we paying it for?

Mr. COWHERD. You say that all these other places are making contributions?

Mr. GREEN. Yes, sir.

Mr. COWHERD. In their streets and part of the expenses?

Mr. GREEN. Yes, sir.

Mr. COWHERD. And the contribution in New York is to allow you to run under the streets, for which they charge a rental.

Mr. GREEN. Yes, sir.

Mr. COWHERD. Now I will call your attention to the fact that in addition to the \$3,000,000, or one-half of the total, we are giving you the same thing New York is giving you without any additional charge at all.

Mr. GREEN. If you had to deal with the municipal authorities of New York, you would find it pretty hard to get anything out of them on better terms.

Mr. COWHERD. I make no contention as to that. I only contrast the two.

Mr. GREEN. I think my statements are correct. We are applying for an entrance into New York, which is an entirely different proposition from the one we have here. New York claims that she has suffered greatly from the fact that many of her franchises have been given away in the past for almost no return.

But New York paid half of the cost of the depression of the tracks which reach the New York Central Station, and she paid one-half of the cost of elevating the tracks north of One hundred and twenty-fifth street, when it was necessary to adapt the grade to the increased elevation of the bridge over the Harlem River; and the other cities generally pay one-half of the cost. That is what you might call the average contribution.

Mr. COWHERD. I believe Chicago paid nothing?

Mr. GREEN. Toward what?

Mr. COWHERD. The elevation of the tracks.

Mr. GREEN. No, sir; she had a law by which she could deal with the railroads and compel them to do what she wanted them to do, but that did not make it right.

Mr. SIMS. Is there not a greater desire on the part of the railroads to get into New York and have a station there than there is to have this change here?

Mr. GREEN. We think so; but we could not persuade the controller of New York of that.

Mr. SIMS. I mean to get into New York.

Mr. GREEN. Yes, sir. Of course, New York is the commercial capital of the country, and I suppose any railroad would be justified in wanting to get in there.

Mr. SIMS. The object there is to make money, and there is not the same aesthetic desire?

Mr. GREEN. Yes, sir. The same elements do not exist there that do here.

The CHAIRMAN. Is it not the fact that in this proposition the basis of it is for the purpose of beautifying the city of Washington?

Mr. GREEN. That is the way it has appeared to us. There is practically no community of interest between the Baltimore and Ohio and the Pennsylvania lines on the question of a union station; that is, there is no interchange of traffic. They are to all intents and purposes parallel lines, parallel and competing lines.

The CHAIRMAN. They are not like terminal lines that run from Chicago to the East, and from Chicago to the West, where a union station becomes almost a necessity.

Now, so far as traffic is concerned, there is no call for a union station here?

Mr. GREEN. No, sir; not so far as the traffic is concerned. Because we and the Baltimore and Ohio are as keen competitors as any two lines can be.

Mr. WADSWORTH. What would be the benefit to the railroads and what would be the benefit to the public of a union station in Washington?

Mr. GREEN. Simply the convenience to the public.

Mr. WADSWORTH. My idea was that a union station was rather for the development of leg muscle than of comfort. I know that I have walked two miles looking for baggage in the union depot in St. Louis.

Mr. GREEN. I think you can get a union station too large. While the St. Louis station is not perhaps too large, it is very uncomfortable to get around in.

Mr. WADSWORTH. What would be the actual benefit to the public here?

Mr. GREEN. This station will be about 800 feet long. Four hundred feet on each side of the entrance of the union station is not much and is not a disagreeable distance to walk.

Mr. WADSWORTH. That is about a block.

Mr. GREEN. That is one of our Philadelphia blocks. Every man who comes into Broad Street station to-day will probably be landed three or four hundred feet from the front of the station, and he walks that and does not mind it, because he is at his journey's end; but when you walk as far as you have to do in Boston or St. Louis, then I think you might get a union station too large. But this would not have this disadvantage. This would be a central point for all travel, and it certainly appeals to us as an entirely proper thing under the plans proposed here.

Mr. WADSWORTH. Your tracks come in, and where do you join the Baltimore and Ohio line?

Mr. GREEN. We will have to go out to a little place called Magruder on our line and build a connection from there.

Mr. WADSWORTH. Out in Maryland?

Mr. GREEN. Yes, sir. Then we will connect with the tunnel line between the Capitol and the Library, so as to get down on Virginia avenue.

The CHAIRMAN. Is it not true that a stranger really needs a guide in the St. Louis depot to get in and to get out?

Mr. GREEN. If he is not a railroad man, I think he might. However, if you will recall the old St. Louis station and compare it with the present one I think you would not have that back again. That was the most dangerous place that I ever saw.

Mr. COWHERD. I would like to suggest, before you take your seat, that there is another instance where the city did not pay anything for the elevation of the tracks or the tunnel. That is St. Louis.

Mr. GREEN. St. Louis made a very good bargain; better than she could make to-day.

Mr. WADSWORTH. Then there is no benefit to the railroads in a union station?

Mr. GREEN. I do not see any special benefit in this case. There is an increase of expenses. I do not see any direct pecuniary benefit, and I think the officers of the Baltimore and Ohio would perhaps put that more strongly.

Mr. SCAGGS. Permit me to ask Mr. Green a question. We have a special committee here from South Washington, and I desire to ask a question.

The CHAIRMAN. Just a moment. This hearing is called for the

information of the committee, and we are not prepared to take it up in reference to the Washington delegation. We will have to take that up later.

Mr. SCAGGS. Very well.

The CHAIRMAN. Now, are there other representatives of the Pennsylvania and the Baltimore and Ohio railroads present?

Mr. COWHERD. Mr. Green, if this scheme does go through, would there be any objection on the part of your company to providing a little local depot as near as possible to the end of the bridge for the people in the departments who come in from Virginia?

Mr. GREEN. Do you mean the north end of the Long Bridge?

Mr. COWHERD. Yes, sir; anywhere in that neighborhood, to accommodate the local traffic. There are many people who work in the departments that live over there and come in over the bridge.

Mr. GREEN. I can not see myself that there would be. We tried that in Philadelphia, and if you get the station too near your terminal station it is impossible to use it.

Mr. COWHERD. That is the reason I was putting it as far as possible.

Mr. GREEN. Yes, sir. There is no objection to putting a small station so far away that it does not interfere with the moving in or out of trains.

STATEMENT OF MR. GEORGE E. HAMILTON.

Mr. HAMILTON. I regret exceedingly that President Loree, who expected to be present at this hearing, is unavoidably absent.

Speaking for him, I would say that the position of the Baltimore and Ohio Railroad Company, and its attitude to the bill now under consideration, has been very properly outlined by Mr. Green in his statement of the position of the Pennsylvania road.

Originally the Baltimore and Ohio was hostile to the plan for a joint depot which would require its removal from a more advantageous site and entailed expenses that were excessive, not only when considered as to the first cost, but when viewed in connection with the costs of keeping the improvements, when completed, in proper condition and in supplying the proper service. The company, however, did agree to the proposition coming, as has been said, from the Park Commission and the Senate committee, and having then agreed to it it is now willing to go on and have the joint depot, as proposed in the bill pending before you.

The increase in cost to the Baltimore and Ohio over that provided for in the legislation of 1901 is not so large as it is to the Pennsylvania road, being something more than \$300,000, but the company feels that it loses in the fact that its depot is put back; that its freight facilities are not so good, and it believes, or did believe, that too much money was required to be invested in the depot and terminal. You gentlemen will recognize the fact that after a certain amount of expenditure any additional sum spent upon depot and terminals is dead capital, which never yields a return. But, as I have stated, the company has consented to it, and it is perfectly willing to go on according to that consent, and it has made preparations to carry out the work that will be imposed upon it by reason of the legislation contained in this bill. Its position is like that of the Pennsylvania described by Mr. Green—originally it was opposed to the proposition.

I will not say that it is opposed to it, although I believe that a union depot is much more beneficial to the public than to the companies, but I believe also that it is the policy of railroads to accede to the wishes of the public rather than to pursue a selfish course of temporary profit, so that I say the Baltimore and Ohio is not hostile to the legislation that is before you, but favors it.

In response to the inquiry made by Mr. Cowherd, I would say that the conditions in this case seem to be very different from those existing in New York with regard to the entry of the Pennsylvania road into that city. Here the Government is interested in the abolition of grade crossings, an existing evil, and it is doing only what has been done in every city of the United States excepting the city of Chicago; that is, contributing to the abolition of a difficult and dangerous thing. In New York that question does not enter, but here it does. We are established here by legislative act, and we have grade crossings. Congress and the people desire the roads to do away with grade crossings, and the contributions proposed are not in excess of the average contributions made by municipalities and States all through the United States, Chicago and Illinois excepted.

Mr. PEARRE. Permit me.

Mr. HAMILTON. Yes, sir.

Mr. PEARRE. Has not the question of grade crossings and the attitude of the Government toward that matter been settled by the legislation of 1901?

Mr. HAMILTON. Yes, sir; it has been settled by that legislation. These grade crossings were abolished; the Government gave to the Pennsylvania road a portion of the Mall and to the Baltimore and Ohio Railroad \$1,500,000 toward their abolition. Under this bill the Pennsylvania surrenders that portion of the Mall referred to, and the payment by the Government for the abolition of grade crossings, as fixed in 1901, is \$1,500,000; so that if this bill passes each road will receive \$1,500,000 from the Government toward the abolition of grade crossings, the only change being that now the Government gives money instead of the land which it (the Government) receives back.

Mr. COWHERD. I would refer Mr. Hamilton to the report from the Interstate Commerce Commission in regard to cities in the country abolishing grade crossings. I think upon reading it he would probably correct his statement.

Mr. HAMILTON. I think you will find that my statement is contained in the report of the Commissioners of the District of Columbia. When they were called on to make a report upon the legislation of 1901, they investigated the question and found and gave the laws and statistics covering this question in the several States. As I recollect it, Chicago and Illinois are the only city and State where no contribution has been, or can be under the law, made for such purposes.

Mr. COWHERD. There are several States.

Mr. HAMILTON. Not according to the report of the Commissioners. Take Massachusetts, for instance. The municipality is called upon by law to make a certain contribution and the State a certain contribution, and when you look into the legislation and into the work done under such legislation of the cities and States generally you will find that the joint contributions of States and municipalities will equal the contribution that was made in 1901 by the Government to the roads. This is not a matter of assertion, but it is a statement based upon the report of the Commissioners, heretofore submitted to this committee.

Mr. COWHERD. I admit that the Commissioners made such a report. I simply call your attention to the report of the Interstate Commerce Commission, which is not in harmony with the report of the Commissioners.

The CHAIRMAN. There is one matter which I wish you would make clear to us. As the committee understands the situation, the present management of the Baltimore and Ohio is controlled by the Pennsylvania road. Is that true?

Mr. HAMILTON. It is absolutely not true.

The CHAIRMAN. Absolutely not?

Mr. HAMILTON. Yes, sir. I think, Mr. Chairman, that the statement was made both by Mr. Green, representing the Pennsylvania, and Mr. Loree, representing the Baltimore and Ohio, before the Senate within a month that the Pennsylvania does not own the majority of the stock; that it has not a majority of the board of directors, and that the two roads are separate and distinct.

The CHAIRMAN. Very true, but is not the Pennsylvania management dominant—

Mr. GREEN. Permit me to answer that. Emphatically, it is not. Did I understand anyone to say that that statement had been made, or was it a mere inquiry?

The CHAIRMAN. I said that it was understood. That was merely leading up to a question that I desired to ask Mr. Hamilton. This is a matter that has cropped up, that there is a feeling on the part of certain persons that this movement, or this general development here and control of the Baltimore and Ohio by the Pennsylvania, was to result in making the Baltimore and Ohio a freight line and the Pennsylvania line a passenger line, taking the passenger business principally. I wanted to ask Mr. Hamilton if there was any truth in that.

Mr. GREEN. That is so absurd that it is not worth a denial, but as it is gravely stated, I wish to say emphatically that the Pennsylvania road does not control the Baltimore and Ohio; that it has but four men in the board of directors out of thirteen, and as a general rule four men can not do much with thirteen.

Mr. STEWART. You say there is no demand by the railroad companies for this depot for either railroad, but that it is a public demand. Will you tell me how the public have indicated that? Have they had a mass meeting in the city, or is it from the whole United States that the demand comes? How is that?

Mr. HAMILTON. I will say that the matter came to the railroads from the Senate committee representing that it was the desire—

Mr. STEWART. From the United States Senate?

Mr. HAMILTON. From the United States Senate. That it was their purpose to beautify Washington, and that was the first suggestion of this project that the roads had. They had prepared to enter, in a certain measure, upon work on the lines of the bill of last year, and they had no thought of a union depot until last summer it was brought to the attention of the roads, first to Mr. Cassatt and afterwards to the Baltimore and Ohio.

Mr. STEWART. Has it been done through the legislatures in the different States?

Mr. HAMILTON. No, sir; but it is what Congress has been trying to force upon the roads, and what the people of the District of Columbia have been trying to obtain for years, I think for fifteen years. The

question has been agitated here in every year, in every Congress, to give to the District and to give to the capital of the country a union depot.

Mr. MUDD. Did the suggestion come from the Senate Committee contemporaneously with that of the Parking Commission—

Mr. HAMILTON. I do not know whether the matter was first suggested by the Parking Commission or the Senate Committee. It was suggested some time last summer, I think, and it may have been from both the Commission and the chairman of the Senate Committee on the District of Columbia.

In conclusion, I wish to say, speaking for the Baltimore and Ohio, that I fully concur in the position taken by Mr. Green, of the Pennsylvania, as being willing and desirous that the bill now being considered should become a law, and I wish to add that it is most desirable that speedy action should be taken. We can do nothing with this legislation hanging over us. To proceed under the separate acts of 1901 while this measure is still in Congress would be difficult and hurtful, and yet time is running against us and we feel the necessity of doing something. Conditions requiring immediate action have been spoken of by Mr. Green in regard to the Pennsylvania; those conditions are much worse with regard to the Baltimore and Ohio, and it is absolutely necessary that we should have some chart to regulate our actions with regard to the future of the railroad problem in Washington, and we ought to know at once under what legislation we may proceed.

Mr. WADSWORTH. What benefit would the public get from a union depot that they would not get from two well-constructed depots?

Mr. HAMILTON. I think the traveling public would get a very decided benefit.

Mr. WADSWORTH. What?

Mr. HAMILTON. The service would be much better, the convenience to the traveler would be greater, and passengers from one point could change to trains leaving for other points without leaving the depot. All of the arrangements would be combined at a joint depot, and a moment's consideration will suggest the absolute convenience of a union station.

Mr. WADSWORTH. Your passengers coming from New York in the cars going south, for—

Mr. HAMILTON. At present they have to get out at the Baltimore and Ohio depot at C street, and in order to get to the Pennsylvania road must go as far as possible on the street cars, or in such vehicles as they can get hold of; in fact, they have to get over to the Pennsylvania as best they can. Having all of the trains coming into the same depot would save such inconvenience.

Mr. GREEN. The Baltimore and Ohio has no connection with the Southern Railroad, and passengers of necessity would have to go across the city, which, I should think, would be a very unpleasant thing.

Mr. WADSWORTH. I would like to have the cost of the Baltimore and Ohio under this bill and under the other bill and the difference in what they receive from the city.

Mr. HAMILTON. The difference in what the Baltimore and Ohio receives is nothing, but the difference in cost is about \$300,000.

Mr. WADSWORTH. Is it that much more?

Mr. HAMILTON. That much more.

Mr. COWHERD. Now, under the old estimate—

Mr. HAMILTON. I say the difference in cost to us is about \$300,000. In this, however, is not included the purchase of property. We have purchased nearly all the property required under the old law, and we have purchased much of the property that is required under the present bill.

Mr. COWHERD. Of course a part of that you will sell to the city—that is, the purchase under the old law—and the rest of it you hope to recoup on. Under the old law there was an estimate of \$600,000, or something of that kind, for the elevated tracks given you under that old bill.

Mr. HAMILTON. Yes, sir.

Mr. COWHERD. Now, does the Pennsylvania Railroad pay one-half of that cost?

Mr. HAMILTON. The Pennsylvania's one-half is added to that. The tracks, although under the old law they were ample to accommodate the business of the Baltimore and Ohio, are not ample to take on the business of the Pennsylvania; but when you examine this bill you will find that the Pennsylvania has the right to build on the east side of Delaware avenue—

Mr. COWHERD. Then this cost is increased for those elevated tracks to a sufficient amount to take up the \$600,000 that it would cost the Baltimore and Potomac and the additional amount that it would cost the Baltimore and Ohio?

Mr. HAMILTON. Yes, sir. Our cost is not reduced by that addition.

Mr. COWHERD. I thought you ran out over the same tracks?

Mr. HAMILTON. No, sir; we double the tracks there.

Mr. COWHERD. There is another question—

The CHAIRMAN. The bill provides for the construction of two additional tracks for the Baltimore and Ohio for freight purposes?

Mr. HAMILTON. Yes, sir.

The CHAIRMAN. And that is in addition to the tracks of the Pennsylvania?

Mr. HAMILTON. Yes, sir.

The CHAIRMAN. That would be how many additional tracks—four?

Mr. HAMILTON. It would be more than that.

The CHAIRMAN. Well, how many would it be?

Mr. GRAHAM. Six additional tracks.

The CHAIRMAN. From the present number?

Mr. HAMILTON. Yes, sir.

The CHAIRMAN. Four for the Pennsylvania and two for the Baltimore and Ohio?

Mr. HAMILTON. Yes, sir.

Mr. GRAHAM. Six in all.

Mr. HAMILTON. How many of those are the new tracks of the Pennsylvania?

Mr. GRAHAM. There are two tracks of the Pennsylvania; two additional tracks.

The CHAIRMAN. Two additional tracks for the Baltimore and Ohio?

Mr. HAMILTON. Those are limited tracks for light freight, and they come in a part of the way only into the city. They do not run all the way into the city.

Mr. COWHERD. Here is what I am trying to get at. Here was the old Baltimore and Ohio depot, at Delaware avenue and C street?

Mr. HAMILTON. Yes, sir.

Mr. COWHERD. The terminal was not included in the amount the city was to pay?

Mr. HAMILTON. No, sir; it is not included now.

Mr. COWHERD. Yes; but out to M street you allowed a certain amount of which the city should pay one-half for the elevation of tracks. Now, this elevation has been moved back to this point [indicating on map], more than half of it is done away with, which you will not have to build.

Mr. HAMILTON. You will find an answer to that on page 6 of the report from the Senate Committee on the District of Columbia, which says "In the case of the Baltimore and Ohio the total estimated cost is \$250,000, or \$300,000 greater than that of last year. This is due to sharing the cost of the tunnel, estimated at \$824,525. Outside of the tunnel the cost is less on account of the lessened length of viaduct and because a part of the expense is to be shared by the Baltimore and Potomac."

Mr. COWHERD. Half of the tunnel?

Mr. HAMILTON. Half of the expense of the tunnel and half of the expense of the elevation to get out there is to be borne by the Baltimore and Ohio.

Mr. COWHERD. From this point [indicating]?

Mr. HAMILTON. From the tunnel.

Mr. COWHERD. From the tunnel here [indicating]?

Mr. HAMILTON. Yes, sir.

Mr. COWHERD. These tracks do not come in on an elevated structure? I understand these tracks come in under Massachusetts avenue.

Mr. HAMILTON. They are part elevated and part depressed, and we have to make the bridges and elevated crossings.

Mr. COWHERD. As I understand you, your contention is that the Baltimore and Ohio pays \$300,000 more than—

Mr. HAMILTON. Three hundred thousand dollars more than if we were allowed to build under the legislation of 1901.

Mr. COWHERD. Including the cost of the depot and everything?

Mr. HAMILTON. Yes, sir; as estimated.

Mr. COWHERD. Now, this plaza that is to be built here; I understand that it is to be graded up here [indicating]; who pays the cost of that?

Mr. HAMILTON. That is a District matter. We have nothing to do with the plaza. We have to give the avenue there on the west side of the terminal, as you see it is marked there—right where your finger is [indicating]. We have to give the road in lieu of what is taken up here in order to have the depot accessible from all sides. The city does the grading and approaches to the plaza, and the railroads give them the handling of the material free of cost. The city is to do the grading, and from this, consequently, I would judge that the change of Massachusetts avenue is a matter within the province of the Commissioners of the District, but the railroads give them the trains to haul the dirt in.

Mr. COWHERD. They agree to haul the dirt in free of cost?

Mr. HAMILTON. Yes, sir.

Mr. MUDD. I want to direct your attention to section 11 of the bill. You have it before you?

Mr. HAMILTON. Yes, sir.

Mr. MUDD. Page 24. I understand that you, speaking for the Baltimore and Ohio Railroad Company, say that you want this legislation. You favor it, do you not?

Mr. HAMILTON. Yes, sir; as it is. If it was an unreasonable proposition we would not favor it. Taking it as it is, we would not oppose it and would be glad to see it go through, because we think it is a matter of general moment.

Mr. MUDD. I am not controverting anything. Standing here now, in the present position, you want this legislation?

Mr. HAMILTON. Yes, sir.

Mr. MUDD. And you expect to take advantage of it if it is passed?

Mr. HAMILTON. Yes, sir.

Mr. MUDD. Do you not think it is a rather incompatible provision of section 11, which says:

"That the provisions of this act shall be duly accepted by the Baltimore and Ohio Railroad Company and the Baltimore and Potomac Railroad Company and the terminal company by resolution duly adopted by the directors of each company, and a certified copy thereof filed in the Department of State within ninety days after the passage of this act?"

Then further down it says:

"And if any of said companies shall refuse or omit to accept the same within the said period of ninety days, then and thereupon this act and all its provisions shall become void and of no effect."

I apprehend that of course you will accept that legislation if it is passed.

Mr. HAMILTON. That would depend very much upon what shape it should pass in. If the bill passed as it has been shaped up to the present time, and in that shape, the companies have gone very far toward saying that it would be accepted, but if it were mutilated by provisions imposing onerous conditions on them, I believe the companies might be compelled to refuse to accept it.

Mr. MUDD. If we are with you, you are with us?

Mr. HAMILTON. Precisely, because it is not our measure. We do not want you to think that we have directly or indirectly promoted the introduction of this bill. It was a measure that was proposed to us, and upon the assertion that it would meet with popular favor, that it would be what the city required, and for reasons that were stated by Mr. Green, being citizens of the District here, the roads were willing to take it, and if Congress gives it to us in such shape that we can live under it—in its present shape—the roads will take it. But we certainly could not take it as it might come out of Congress.

Mr. MUDD. I understand your proposition is, that if the bill were changed so as it would be in a different shape you would want to use this right to refuse to accept it.

Mr. HAMILTON. Undoubtedly so, and most positively.

Mr. MUDD. Passed substantially as it is, you say you understand that Congress would be put in a very peculiar position if you should say within ninety days time that you refused to take it.

Mr. HAMILTON. I think the bill now is in reasonable form, but if

it was changed, any such change in the bill would have to be considered.

Mr. MUDD. Exactly. Now, what I want to know is, can you give me any idea as to how much difference there would be between the time consumed in coming from Baltimore to the union station and that which is consumed now in coming to the depot as you now have it?

Mr. HAMILTON. I can not tell you exactly.

Mr. MUDD. Five or ten minutes?

Mr. CRAWFORD. It would be $1\frac{1}{2}$ miles difference.

Mr. SIMS. If I understand you, Mr. Hamilton, from an economic standpoint the legislation proposed is not as advantageous as the existing law?

Mr. HAMILTON. Undoubtedly not.

Mr. SIMS. Then, if Congress should fail to pass this, would it not be to the interest of your company to proceed under existing legislation instead of waiting until next winter?

Mr. HAMILTON. It would be a question we would have to consider very fully. It would be certainly to our advantage to proceed, but it would not be to the advantage of the company to proceed if there was a bill pending in Congress that might do away with any action taken.

Mr. NORTON. Is it not true that this legislation was never originated by the Baltimore and Ohio, or the Baltimore and Potomac; that you did not originate this change?

Mr. HAMILTON. Yes, sir; I think the statement is contained in the report of the Senate committee. The fatherhood of the bill is given there. It was not railroad legislation in any shape or form.

Mr. NORTON. You gave your views only, and have furnished a map at the request virtually of the Park Commission?

Mr. HAMILTON. We were called upon, not by the Park Commission, but the roads were called upon by the members of the Senate Committee on the District of Columbia and the members of the Park Commission.

Mr. MUDD. Is that the place that you want to locate the fatherhood of the bill?

Mr. HAMILTON. I said they located it themselves. They say in their report that it was a proposition made by them to the roads, and not by the roads to them. I think that is plain in the first paragraph of the report.

Mr. MUDD. I think that is a good paternity.

Mr. SIMS. I do not see that it makes any difference who was the father.

Mr. HAMILTON. I do not. They thought that, all things considered, it was a meritorious measure, and they would give it their support.

Mr. MERCER. This does not repeal the act of 1901?

Mr. HAMILTON. Only in part. There are some provisions in this act inconsistent with the acts of 1901, and when this becomes a law certain portions of those acts will be repealed; but in the main it will stand. For instance, the legislation affecting the Baltimore and Ohio in this act is but very little different from the provisions of the old act. They are modified by the setting back of the depot to Massachusetts avenue from C street, so far as the Baltimore and Ohio is concerned.

Mr. MERCER. Do you leave on the statute books that with regard to the Fish Commission building, and its removal, and so forth.

Mr. HAMILTON. All the provisions, altered or repealed, are specifically set forth in this bill, as you will find.

Mr. GREEN. I have a train that I would like to take, Mr. Chairman, and I should like to leave now. I am very much obliged to you for your courteous attention.

The CHAIRMAN. Now, gentlemen, the committee has only five minutes more time this morning, and if you will kindly give the members of the committee possession of the room, we have some little business to transact.

Thereupon, at 11.55 a. m., the committee went into executive session.

COMMITTEE ON THE DISTRICT OF COLUMBIA,
Wednesday, June 18, 1902.

The Committee on the District of Columbia this day met at 10.20 a. m., with Hon. David H. Mercer in the chair.

Present: Messrs. Mercer, Smith, Allen, Pearre, Wadsworth, Morell, Blackburn, Stewart, Meyer, Cowherd, Norton, and Sims.

Mr. MERCER. How many different associations are present who desire to be heard? The committee would like to know that, so we can divide up the time between them.

The following associations reported:

The South Washington Citizens' Association, the North Capitol and Eckington Citizens' Association, the East Washington Citizens' Association, and the Northeast Washington Association.

Mr. MAURICE B. ROSENBERG. Mr. Chairman, I represent a number of individuals and I would like to be heard.

Mr. MERCER. What individuals?

Mr. ROSENBERG. Owners of real estate in south Washington.

The following associations also reported: East End Suburban Citizens' Association and the Washington Board of Trade.

Mr. MERCER. Mr. Warner is obliged to leave immediately and we will let him open the hearing.

STATEMENT OF MR. B. H. WARNER.

Mr. WARNER. Mr. Chairman and gentlemen of the committee, this is a proposition which interests not only the people of Washington, but the people of every Congressional district in this country. We have been suffering from a lack of facilities here for the past—well, up to the present time—and I have been actively engaged either in opposing some measure or in favoring it for twenty-five years. This is the first time I have seen a measure that is at all practicable and upon which the companies and the government of the District of Columbia and many representatives in both Houses of Congress unite.

I need not consume your time by going over this matter extensively, because there are so many here who desire to speak. I have put in writing the main points I wish to call to your attention. I want to say I am not at all interested in any railroad corporation, and speak simply as a citizen of the community.

Speaking for a large number of citizens of the District of Columbia, as well as in my own behalf, I earnestly urge the passage of the bill

now pending before your committee providing for a union station in the District of Columbia, for the following reasons:

First. There is great need for such a station, both for the convenience of the traveling public and the business interests of the national capital.

Second. There is a stronger sentiment in favor of the plan outlined in said bill than I have ever known to exist before.

Third. Because provision is made for the abolition of grade crossings, and greater safety afforded.

Fourth. The plan contemplates the removal of tracks from the Mall and permits the carrying out of improvements which can not be made unless the railroads are compelled to move.

Fifth. The proposition made by the companies is in accordance with suggestions made to them, and involves a vast expenditure of money which they could well avoid assuming if their policy were selfish and narrow.

Sixth. The contribution toward the expense of the changes seems to be fairly proportioned when all the circumstances are taken into consideration.

Seventh. Under the plan proposed the important highways of the city are less interfered with than under any suggestions heretofore made.

Eighth. The union station will be a magnificent addition to the structures which now adorn the capital city, and will rise to the dignity of a public building.

Ninth. The work will be done under the control and supervision of corporations which can not afford to undertake a work which can justly be criticised because its details are not well and faithfully carried out.

Tenth. Because the plan and construction will be subject to the approval of the best engineers in the country, and virtually of Congress itself.

Eleventh. For the reason that many citizens of the District of Columbia who have for years been advocating proper terminal facilities be provided by the railroads are now in hearty accord with the measure as the best that has been designed, and believe that if speedy action is not taken delays will result in defeating the very results we have so long hoped to attain.

Twelfth. The expenditure of nearly \$15,000,000 will be of great benefit to the laboring men of the city.

Now, Mr. Chairman and gentlemen of the committee, there are a number who will appear before you this morning to advocate other routes or a modification of the present route, or other plans. Now, I would be pleased to see every association of this city and every individual of this city accommodated by having their preferences regarded, but that can not be done. We must consult the interest of the general public, and somebody must suffer. Now, I have a piece of property that will be very largely damaged, as the grade will be changed 15 feet in front of the house and the value of that house might be wiped out.

But yet I should deem it my duty to sacrifice it in the interest of a great project like this, and I want to call the attention of the committee to the fact that many of the citizens of Washington are under the impression that they will not receive adequate damages. As long as I

have referred to this piece of property, I would like to bring up that question, as I think damages are provided for in this bill. That is about all I have to say.

Mr. MERCER. I find that we can allow each organization about nine minutes.

Mr. JAMES F. SKAGGS (president of the South Washington Citizens' Association). Will you allow me to ask Mr. Warner one question?

Mr. MERCER. Yes; you can ask him one question.

Mr. SKAGGS. I will ask Mr. Warner if he considers that the destruction of Maryland and Virginia avenues is for the beautification of Washington.

Mr. WARNER. If you should ask me if the destruction of the National Capitol or the Treasury Department is for the beautification of Washington I should answer in the negative. Those thoroughfares are now occupied by railroad tracks, and it will not be any more destruction than when they were laid down.

Mr. SKAGGS. Do you want to keep destroyed two of the prettiest avenues in the city?

Mr. WARNER. I would like to see the tracks taken out of the avenues. I would like to see any other route adopted which might be better than this. I would like to see the preference of every citizen regarded if we can do so, and if any other route can be selected acceptable to the District authorities and the railroad authorities by which the wishes of these gentlemen could be regarded I would like to have that done, but I would not like to see this project killed because of delays by quibbles over questions that can never be settled.

Mr. SKAGGS. Does Mr. Warner understand that anybody is here with the intention of killing this project?

Mr. WARNER. Not directly; but delays are dangerous, and delays often result in death.

Mr. MORRELL. Mr. Chairman, I move that we proceed with the hearing of the next association.

Mr. MERCER. The next is the Southwest Citizens' Association.

STATEMENT OF MR. R. H. JOHNSON, CHAIRMAN OF THE SPECIAL RAILROAD COMMITTEE OF THE SOUTHWEST CITIZENS' ASSOCIATION.

Mr. JOHNSON. Mr. Chairman and gentlemen of the committee, the case of the South Washington Association is thoroughly covered in a memorial I will present and ask to have made part of my argument.

I am sorry Mr. Warner made the statement that as the tracks on Maryland and Virginia avenues are there the avenues will not be destroyed more under the new bill than they are now. About a little more than 1,000,000 feet is taken out of Maryland avenue and Virginia avenue and the parking spaces and the sidewalks abutting on these avenues, and the proposition as far as we can see is to give them over to the railroad companies for use as freight yards. This association is here, though, not in antagonism of this bill. We want a union station. We want grade crossings abolished. We are here to advocate what is known as the Water-street route. That is not a new project by any means.

For more than twenty-five years it has been discussed and favored by numerous citizens' associations and other representative bodies of

this District. Heretofore two great obstacles have been in the way of the successful carrying out of this plan. First, the reluctance on the part of the railroad company to give up the station site in the Mall. Secondly, the dispute as to the river front property. The Supreme Court, by its decision about eighteen months ago, vested all the property south of Water street in the United States Government, and that decision removed the greatest obstacle to the successful carrying out of the Water street route. Briefly stated, our plan is to bring the railroad tracks on a viaduct down Water street to K, and thence on K street to Delaware avenue.

Mr. PEARRE. Have you a plat of your scheme here?

Mr. JOHNSON. Yes, sir. There are eight or ten maps here, but there is some little change made in our plan. The official map is in the hands of the chairman of your committee. To be more specific in this matter, I would state the plan provides for a curving in of the tracks from the Long Bridge 40 feet south of the north line of Water street; thence southwestwardly along Water street to the foot of Eighth street and K street SW.; thence eastwardly along K street SW. to the intersection of K street and Delaware avenue SW.; thence northeastwardly along Delaware avenue to join and connect with the tracks provided in the Senate bill 4825. Also, beginning at the intersection of Delaware avenue and K street SW., eastwardly along K street to connect with the tracks of the navy-yard tunnel.

Now, gentlemen, the plan which is before you is the plan which was advocated by a special committee of the citizens' associations of this District. It was adopted about eight or ten years ago, and, as I stated before, it is not a new plan, as it has time and again received the recommendation of our citizens' associations, and as late as 1895 a bill was under discussion in the Senate Committee on the District of Columbia. Water street from Fourteenth to Fifth street is not occupied by a single private residence; it is taken up wholly with mercantile establishments. To explain that bill I will say we desire some changes. As I have stated before, the route is better defined on the map which the chairman of this committee has and which was sent to him about ten days ago.

Mr. PEARRE. This does not set out the lines proposed in your memorial.

Mr. JOHNSON. I will state to the gentleman there was a letter sent to the chairman at the time explaining the changes.

Mr. MORRELL. On this route where is it proposed to put the station?

Mr. JOHNSON. There are some changes proposed on that map, but, owing to the shortness of time and the fact that the plate was lost, we were not able to get a new map. As I stated before, we are in favor of a union station; we want it. Now, Maryland and Virginia avenues are as necessary for the well being and success of South Washington as two arms are to an individual, and I will illustrate it.

Prior to the passage of the act of February 12, 1901, it was represented that in order to abolish grade crossings and to get into the station site on the Mall it was necessary to close certain parts of Maryland and Virginia avenues; that is, to close the south side of Virginia avenue between Second and Four-and-a-half streets and the north side of Virginia avenue between Four-and-a-half and Seventh streets, the south side of Maryland avenue between Ninth and Tenth streets, and

all that district between Twelfth and Fourteenth south of E street SW. That proposition, gentlemen, was advocated for the purpose of allowing the railroad to get into the station in the Mall and to abolish grade crossings.

Where is there in this bill pending before this committee a provision taking away the right of the railroad company to this ground? They still maintain the right to occupy it, only, as a matter of fact, the reason was given at the time that it was necessary to take these streets in order to get to the station on the Mall, and it seems to us that it is not a proper plan to take these streets and donate them to the railroads to be used for freight-yard purposes, with a station site more than 1 mile distant from it, and the streets can not be used in connection with the station site.

Mr. PEARRE. In this plat where is it proposed the station shall be?

Mr. JOHNSON. That is the old plat and the station site is to be on north Massachusetts avenue.

Mr. PEARRE. If this plat is adopted it is still contemplated to use Virginia and Maryland avenues?

Mr. JOHNSON. No; it provides the tracks are to leave Virginia and Maryland avenues and come up by Water street. The plat provides that.

Mr. PEARRE. As I understand the memorial, you intend coming from the Long Bridge to Fourteenth, then down Water street to Eighth, and along K street to connect with the present line at the tunnel?

Mr. JOHNSON. That is for the southern route.

Mr. PEARRE. And the elevated structure comes in at K street?

Mr. JOHNSON. The elevated structure comes in at Delaware avenue.

Mr. MORRELL. But under the plan of the association, where is it proposed to locate the station?

Mr. JOHNSON. On the north line of Massachusetts avenue as provided under the bill pending before this committee. We make no change other than we ask to take the railroad tracks off Maryland and Virginia avenues.

Mr. MERCER. Have you any other data there you wish to file for the benefit of the committee?

Mr. JOHNSON. We have filed it. We have a letter explaining our plan, and we have a map with the chairman of the committee showing our route exactly. This is simply to give the committee a general idea while I was making my remarks.

Mr. COWHERD. You said that certain streets were given under the legislation passed last year for the special purpose of letting them get in on the Mall, and those streets could only be used under the proposed legislation as freight tracks. What streets were those, please?

Mr. JOHNSON. It was Virginia avenue between Second and Four-and-a-half, south side; north side of Virginia avenue between Sixth and Seventh; the south side of Maryland avenue between Ninth and Tenth, and the closing of C street between Sixth and Seventh.

Mr. COWHERD. You contend those streets are not necessary in this plan as now provided in the Senate?

Mr. JOHNSON. We most emphatically contend that.

Mr. COWHERD. And they can only be used by the railroads—

Mr. JOHNSON. For a freight yard and storage purposes.

Mr. MORRELL. Between Sixth and Seventh on Virginia avenue?

Mr. JOHNSON. On Virginia and Maryland avenues; but, gentlemen; you understand me—

(At this point Chairman Babcock took the chair, and Messrs. Mudd and Jenkins also entered the room.)

The CHAIRMAN. The gentleman's time has expired.

Mr. JOHNSON. I would ask that the committee be allowed to file this as an amendment to Senate bill 4825, defining the route as advocated by our association.

[As an amendment to Senate bill 4825.] *

**DEFINING THE PLAN AND ROUTE OF THE STEAM RAILROAD TRACKS IN
THE SOUTHWEST SECTION OF THE CITY AS RECOMMENDED AND
ADOPTED BY THE SOUTH WASHINGTON CITIZENS' ASSOCIATION.**

Commencing by a curved line from the Long Bridge to a point in Water street between Thirteenth and Fourteenth streets SW., 40 feet south of the north line of said Water street; thence southeastwardly along Water street on an elevated structure to a point at the foot of Eighth and K streets SW.; thence eastwardly along K street SW. on an elevated structure to a point at the junction of K street and Delaware avenue SW.; thence by a curved line into Delaware avenue, and proceeding northeastwardly in the middle of said avenue on an elevated structure to a connection with the line of tracks provided for in and under Senate bill 4825; and also from a point on said above-described line, that is to say, by a continuation of the tracks at the intersection of K street and Delaware avenue SW., eastwardly along K street SW. and SE., to a connection with the tracks at the beginning of the navy-yard tunnel, it being the purpose of this plan that all grade crossings shall be abolished.

Mr. Johnson also submitted the following letter and memorial:

SOUTH WASHINGTON CITIZENS' ASSOCIATION SUGGEST "WATER STREET ROUTE."

WASHINGTON, D. C., June 3, 1902.

Hon. J. W. BABCOCK,

Chairman of the House of Representatives

Committee on the District of Columbia.

MY DEAR SIR: We understand it is the purpose of your committee to drive over and examine the proposed route, outlined in the Union Station bill, as passed by the United States Senate last month. If such is the case, we submit herewith the plan of the South Washington Citizens' Association with the hope and request that you examine the route as proposed under our plan, relieving, as it will, Maryland and Virginia avenues and all that section of the city north of Water and K streets SW. from the ruinous effects of railroad tracks and traffic, and further, for the following reasons:

The conditions heretofore existing as to the title to the Water front property, having been removed by the decision of the United States Supreme Court, declaring and vesting title to all the ground south of Water street in the United States Government; the contemplated removal of the station site from the Mall; the interference of the present occupancy of Maryland and Virginia avenues by the railroad

tracks with the Park Commission's plan; the great advantage accruing to the city and the interests of its people; the giving to the railroad company a route and a locality where they will be unhampered in handling and transacting their large and increasing business; placing them on a street where improvements are of little value and ground cheap, thereby giving our merchants an opportunity to purchase ground for warehouse and siding purposes in a section where they will be free and undisturbed in the handling of their business; the placing of the railroad company and its tracks where they will probably never be disturbed; a location that will afford the best and most satisfactory solution of the vexed railroad problem for many years to come—these are a few of the many reasons why the Water street route should be selected.

By the adoption of the Water street route the railroad will be benefited as follows:

First. The expense to the railroad will be greatly reduced by using the present old tunnel on K street SE., thereby doing away with the necessity of building a new tunnel under Virginia avenue SE., as the new line of tracks will run directly into the old tunnel by way of K street SE. and SW., and will intersect and connect with the new line of tracks on Delaware avenue SW., which line will connect with the new station site.

Second. It will not be necessary for the railroad company to purchase additional land for freight-yard purposes, as the property on both sides of the proposed lines, from Delaware avenue SW. to the Long Bridge, is available to our merchants for warehouse and siding purposes; this especially along the north and south side of Water street, where merchandise of all kinds can be handled and where the wharves can be utilized for shipping coal, etc., to Eastern ports. The north side of Water street is peculiarly adapted for the location of "mills," a number of which are now located in the vicinity of and south of Pennsylvania avenue, and which, sooner or later, will be compelled to remove from their present location.

Third. By the removal to Water street the railroad company would be largely compensated by the sale of land owned by them on the present line of tracks, as the removal of the railroad traffic and tracks will cause a rapid rise in land values on Maryland and Virginia avenues and streets adjacent thereto.

Fourth. The expediency with which the new work could be commenced and completed without disturbing the present tracks and route, thereby saving the railroad company large costs, and preventing considerable annoyances and inconveniences to citizens and property owners in the southwest section by reason of the laying and construction of temporary tracks and other disagreeable features connected with and incident to the change under the present bill.

A few of the many advantages to be gained by the city in the event of the adoption of the Water street route, are as follows:

First. It restores to the city in their original state Maryland and Virginia avenues, thus making possible the treatment of these streets on lines laid down by the Park Commission, and in accordance with their recommendations and suggestions, a conspicuous feature of their plan being the beautifying of Maryland avenue and making it one of the famous streets leading from and connecting the Capitol building with Potomac Park, the new highway bridge, the prospective Memo-

rial Bridge, and the circuit of parks provided for under the Park Commission's plan.

Second. It will save several hundred thousand dollars to the city and the United States Government in the shape of heavy costs for approaches to bridges, change of grade, and heavy damages to private property along the railroad line, as is proposed under the bill of February 12, 1901.

Third. It means larger revenues from taxable property by reason of increased land values; it will give greater revenue from the wharf property and the water front; it will result in considerable saving to owners having improved property along the present line of railroad tracks, as under the present bill the property will be continually damaged by the heavy traffic climbing grades, smokes, etc., requiring, as it will, an annual expenditure to keep the property in good order and condition.

Fourth. It will increase the value of property in the entire section of the southwest part of the city; in the central part of the southwest section, because of its removal from, and the southern part, because of its removal to, a location where property is assessed at a low figure by reason of little value and which would under the changed conditions give it greater value by reason of its adaptability and use for commercial purposes.

Fifth. The Water street route would mean the making of a new town in the southwest section of the city, throwing open, as it would, and making desirable for resident purposes a large part of the southwest section and increasing the value of the other part for commercial purposes.

Sixth. It would mean the preservation of Garfield Park, the saving of the United States Government reservation between Seventh and Ninth streets, C street and Virginia avenue SW., and several smaller reservations that are given up to the railroad under the present bill, besides keeping open and free from railroad tracks and traffic the following streets intersecting Maryland and Virginia avenues: Third street, Four-and-a-half street, Sixth street, Seventh street, Ninth street, Tenth street, Eleventh street, and Twelfth street, preserving, as it will, these beautiful streets and avenues, laid out and planned solely for the use, comfort, and the enjoyment of the people.

Seventh. It will do away with the necessity of changing the water and sewer service of the city to accommodate the depressed system under the present plan; it will allow the street railroad tracks to remain as they now are; it will result in no change to the gas mains; it will do away with the necessity of excavating a considerable part of Maryland avenue, which would be a menace to health, jeopardizing, as it would, the health and life of those living close to Maryland avenue, and bringing about a condition that may cause an epidemic of typhoid fever and other sickness.

Eighth. It would afford an opportunity to erect desirable houses and homes for a large number of people employed in the various Government departments along B street SW., who are unable under the present conditions to secure desirably located homes in this section of the city, due to the fact that the section north of Maryland and Virginia avenues is small and limited and is entirely built up, compelling the employees to go to other parts of the city to secure homes.

Ninth. Finally, the Water street plan we believe to be practicable, and, as stated before, it is the most satisfactory solution of the railroad

question, benefiting, as it will, the interest of all parties concerned; that is, it will mean the saving of several hundred thousand dollars to the railroad company in construction charges, the saving of large sums to the taxpayers of the District of Columbia and the United States Government, and it will bring about a condition innuring to the benefit and welfare of the entire capital city.

In conclusion we would state that the bill of February 12, 1901, was advocated and supported by the Board of Trade of this city, because it appeared at that time to be the only plan and route which would allow the railroad to get into its station on the Mall, and at the same time abolish grade crossings on Maryland and Virginia avenues, and now that the station site is to be removed to another locality, there exists no reason for the bill of February 12, 1901, and in order that we may be given an opportunity to prepare a new plan and a new bill providing for the Water street route, we ask and earnestly pray that you have inserted in the new or revised bill a provision repealing that part of the bill of February 12, 1901, which gives the right to the Baltimore and Potomac Railroad to use Maryland and Virginia avenues, and to leave the question of the railroad tracks in the southwest section of the city in such shape so that the interested parties can meet, exchange ideas, and if possible, agree on the Water street route.

Respectfully,

R. HARRISON JOHNSON,
*Of and for the Railroad Committee of the
 South Washington Citizens' Association.*

SUPPLEMENTAL REPORT.

WASHINGTON, D. C., June 5, 1902.

Hon. J. W. BABCOCK,

*Chairman Committee on the District of Columbia,
 House of Representatives, Washington, D. C.*

DEAR SIR: Supplementary to the report sent you June 3 last, we submit the following, defining the route as is proposed under the plan of the South Washington Citizens Association:

Commencing by a curved line from the Long Bridge to a point in Water street between Thirteenth and Fourteenth streets SW., 40 feet south of the north line of said Water street; thence southeasterly along Water street on an elevated structure to a point at the foot of Eighth and K streets SW.; thence easterly along K street SW., on an elevated structure to a point at the junction of K street SW. and Delaware avenue SW.; thence curving into Delaware avenue and proceeding northeasterly in the middle of said avenue on an elevated structure to a connection with the line of tracks provided for in and under Senate bill 4825; it being the purpose of this plan that the railroad shall be carried over Thirteenth street, Twelfth street, Eleventh street, Tenth street, Ninth street, Eighth street, Seventh street, Sixth street, Four-and-a-half street, Third street, Second street, Delaware avenue, I street, H street, G street, F street, and E street SW.

Respectfully submitted.

R. HARRISON JOHNSON,
*Chairman of the Railroad Committee of the
 South Washington Citizens' Association.*

A memorial of the South Washington Citizens' Association, to the Congress of the United States, praying for the removal of the steam-railroad tracks from Maryland and Virginia avenues SW., and to suggest an amendment to Senate bill No. 4825, whereby the railroad route will be diverted to a location less harmful to the interests of the United States Government, the taxpayers of the District of Columbia, and the people of the southwest section of the city.

To the honorable House of Representatives of the United States of America assembled:

Your petitioners, citizens of the United States, and residents and property holders within the city of Washington, constituting an authorized committee of the South Washington Citizens' Association, for ourselves and as representatives of said association, appeal to your honorable body to grant us such legislation in the redress of our grievances as in the premises may seem to Congress just and proper.

The Federal capital has suffered for many years, and still continues to suffer from the existence of the two railroads now penetrating to the very heart of our city, and which are allowed to occupy sites for their depots, and streets and avenues with their tracks, marring the contour and beauty of the public parks, obstructing our public thoroughfares, endangering life and limb, and greatly depreciating private property along the line of some of the principal streets and avenues traversed by these roads. Although the capital of the Federal Union, it has little or no commercial trade, excepting such as pertains to supplying the wants of its citizens and those temporarily connected with the General Government, and, therefore, no consideration of a commercial character can be urged as a reason for permitting these roads to penetrate to its center, marring its beauty, and destroying its public parks, and checking its growth.

In its relations to the present and future of Washington, the subject now before your honorable body is one of no ordinary character. It is not one merely confined in its scope and bearing to those who are living within its limits to-day, but as well to those who are to inhabit this city in the coming times. The mind that conceived the topography of Washington City, and the men who executed its plans, in looking along down the vista of centuries and viewing its grand panorama of the future, saw it in all its grandeur and in its magnificent proportions as the unmarred capital of a great nation, and it is the duty of Congresses, as it is the duty of its citizens of to-day, to see to it that the despoiler's mercenary hands shall not be laid rudely upon it.

Your memorialists are of the opinion that, with reference to the locations of tracks for all roads entering Washington City, they should be so located as to interfere as little as possible with the public parks, avenues, and streets of the city, and at the same time afford every facility essential to enable these great thoroughfares to pass into and out of Washington, and to transact the commercial business with the same within its limits.

This, we say, can be done without occupying any of our public parks and avenues and but two of our streets need be occupied or encumbered with the tracks of these roads where it would at all interfere with the travel or damage to any great extent private property or interests. K street south from the western mouth of the navy-yard

tunnel is not improved or built upon to any extent until it reaches Four-and-a-half street SW., and from there to Seventh street SW. it is improved with a medium class of tenement houses constructed principally of wood. No great damage could therefore result to private interests by the location of a viaduct or elevated road along this street. From the intersection of K and Water streets to its connection with the Long Bridge an elevated road would add largely to the interests of the business along the river front. We provide in our plan for the erection of stations along the line of this elevated road for the accommodation of loading and unloading of freights, as may be allowed in the discretion of the Commissioners of the District of Columbia.

By a glance at the map of the city you will perceive that but a very small proportion of the city of Washington would be traversed or occupied by these steam car railroads, and could not, therefore, result to the injury of either public or private property to any great extent. Indeed, it would in our opinion enhance the value of property southeast of K and Four-and-a-half streets south by improving a portion of the city which, but for some improvements of a public character, must remain unimproved and uninhabited for many years to come. Besides the location suggested in our plan, which we deem an eminently eligible one, would forever fix these roads as permanent and unchangeable. The river barrier which is but a short distance south of K street south forbids the further enlargement of the city in that direction, but not so with any other point of the compass.

Time will be when Washington City will extend its borders for miles beyond its present limits; to the northeast, north, and northwest, and its growth in the near future should not be retarded by the existence of these roads. Look at the extent of private and public property now depreciated, and in many localities rendered almost valueless for the purpose originally designed by the existence or location of these railroad tracks along some of our wide and beautiful avenues and streets, and the location of their depots, freight and passenger, within the heart of the city. The route or routes recommended in the pending bill does not relieve many of these avenues and streets of these objectionable incumbrances, and which we now ask shall be removed, and that the beauty of the city in the vicinity of the present location of tracks of the Baltimore and Potomac railroads shall not be permanently destroyed and the growth of the city retarded.

The residents of South Washington have special reasons for complaint against the Baltimore and Potomac Railroad Company for its occupancy of two of the principal avenues of that section for the greater portion of their entire length southwest of the Capitol, destroying their beauty, and making depots of them for occupancy of their cars, the loading and unloading of freights of all kinds, obstructing travel on these and the cross streets to and from the river; endangering the lives and limbs of the children attending one of our principal public schools, many of whom have to cross these tracks in passing to and from school; annoying the congregations of six or seven churches within the vicinity of these roads upon the Sabbath day; besides depreciating private property along the line of these roads and adjacent thereto to the extent of \$1,000,000.

Those immediately on the line of road on these avenues and streets are daily and hourly annoyed by the smoke, the cinders, the rattling

of cars, the whistling of engines, the ringing of bells, the loading and unloading of coal cars, with all the accumulation of coal dust, the transfer of live stock within these streets, the bellowing of cattle, the bleating of sheep, the squealing of hogs in their passage into and through the city to the markets, often remaining stationary for hours in front of private residences in the heat of summer, with all their stench, to the great annoyance of the resident population, as well as the hindrance to those doing business between the river and the more populous portion of the city by blocking the streets for long periods at a time.

It should be remembered that the Baltimore and Potomac road now occupies the most desirable portion of South Washington as locations for private residences, and should the pending bill be allowed to become a law, this beautiful portion of Washington will cease to improve and in time will be given up to the exclusive occupancy of railroad depots, workshops, and other improvements connected therewith. It is for this and other cogent reasons that we are opposed to the bill now before your honorable body. The plan we offer as a substitute, asking the modification of the pending measure, meets the hearty concurrence of a large body of the resident population of the Federal capital, and should it be adopted it would avoid the destruction and disfigurement of Garfield Park, the ruining of Maryland and Virginia avenues, the changing of the sewerage and water service, made necessary by the depression of tracks at certain points, which would involve a considerable expense to the city as well as inconveniencing public and private interests.

THE SUMMARY OF PROPERTY AFFECTED IN VALUE BY THE LOCATION
OF THE BALTIMORE AND POTOMAC RAILROAD ON MARYLAND AND
VIRGINIA AVENUES, AND THE IMMEDIATE APPRECIATION OF SAME
WITH THESE ROADS REMOVED AS CONTEMPLATED BY OUR PLAN.

There are 6,600,000 square feet of ground along Virginia and Maryland avenues SW., depreciated to the extent, on an average, of 15 cents per square foot, aggregating \$990,000. There are 22,000,000 square feet of ground in South Washington that would be appreciated by the location of an elevated railroad along south K and Water streets to the Long Bridge, to the extent, on an average, of 15 cents per square foot, aggregating \$3,300,000. Now, add the depreciated and appreciated values of these grounds together, and you have the sum total of \$4,290,000 to add to the taxable property of the city, which, at 1½ per cent taxation, would yield an annual income to the city treasury of \$64,350.

REASONS WHY THE PENDING BILL SHOULD NOT BECOME A LAW IN ITS PRESENT SHAPE.

First. It vacates, abandons, and gives over to the railroad companies for freight-yard purposes the larger portion of Maryland and Virginia avenues SW., thereby bringing about a condition destructive of property values along the lines of these avenues, and resulting in irreparable injury to the entire southwest section of the city by depriving the section of these two beautiful and important streets.

Second. It means the disfigurement and destruction of Garfield Park,

the public reservation named in honor of and dedicated to the memory of our martyred President.

Third. It means a grant to the railroad company, without compensation of any kind, of 1,032,755 square feet of public property in the southwest section (see report of the Commissioners of the District of Columbia) comprised in the streets, avenues, and public spaces, and which has a value of more than \$750,000, and which is absolutely necessary to the use, convenience, and comfort of the people and to the value of the abutting property as an easement right.

Fourth. It will result in heavy costs to the already bankrupt taxpayers of the District of Columbia by reason of change of grades in streets and building approaches to bridges, etc.

Fifth. The coming into the center of the southwest section, wherein is located its most valuable real estate and residences; building and maintaining an objectionable and unsightly viaduct; depressing Seventh street, the principal business street of the southwest section and next to Pennsylvania avenue the most important thoroughfare in the city of Washington, thereby compelling the thousands of visitors coming from the South by the way of the Potomac River to pass under the viaduct on a sunken street, and besides greatly depreciating and injuring property at Seventh street and Virginia avenue, resulting in heavy damages, to be paid by the taxpayers of the District of Columbia.

Sixth. To place the viaduct on Maryland and Virginia avenues would greatly detract from the beauty and grandeur of the public parks and buildings located on B street SW., this by reason of its proximity to the "Mall."

Seventh. The destruction of the public reservation between Seventh and Ninth streets and C street and Virginia avenue will, in the event of the carrying out of the present plan, make this space an open commons, to be forever an eyesore and a reproach.

Eighth. There is no defensible reason why the railroad company should be given the right to utilize Maryland and Virginia avenues, the sidewalks and public spaces adjacent thereto, for freight-yard purposes, as under the pending bill the railroad companies are given unrestricted authority to purchase unlimited territory north of Florida avenue, to be used as freight yards; the act of February 12, 1901, gives the railroad companies the right to purchase "as much land as may be required for tracks and their corporate purpose, which lies to the south of the present main tracks of the company, between South Capitol and First streets SE. and north of the northerly line of M street."

ADVANTAGES AND BENEFITS ACCRUING TO THE RAILROAD COMPANIES BY THE ADOPTION OF THE WATER-STREET ROUTE.

First. The expense to the railroad company will be greatly reduced by using the present old tunnel on K street SE., thereby doing away with the necessity of building a new tunnel under Virginia avenue SE., as the new line of tracks will run directly into the old tunnel by way of K street SE. and SW., and will intersect and connect with the new line of tracks on Delaware avenue SW., which line will connect with the new station site.

Second. It will not be necessary for the railroad companies to purchase additional land for freight-yard purposes, as the property on

both sides of the proposed line from Delaware avenue SW., to the Long Bridge, will be available to our merchants for warehouse and siding purposes, this, especially along the north and south side of Water street, where merchandise of all kinds can be handled, and where the wharves can be utilized for shipping coal and other merchandise to Eastern ports. The north side of Water street is peculiarly adapted for the location of "mills," a number of which are now located in the vicinity of and south of Pennsylvania avenue, and which, sooner or later, will be compelled to remove from their present location.

Third. By the removal to Water street the railroad companies would be largely compensated by the sale of land owned by them on the present line of tracks, as the removal of railroad traffic and tracks will cause a rapid rise in land values along Maryland and Virginia avenues and streets adjacent thereto.

Fourth. The expediency with which the new work could be commenced and completed without disturbing the present tracks and route, thereby saving the railroad company large costs, and preventing considerable annoyances and inconveniences to citizens and property owners in the southwest section, by reason of the laying and construction of temporary tracks and other disagreeable features connected with and incident to the changes proposed under the pending bill.

BENEFITS AND ADVANTAGES ACCRUING TO THE PUBLIC, THE TAX-PAYERS OF THE DISTRICT OF COLUMBIA, AND THE PEOPLE OF THE SOUTHWEST SECTION OF THE CITY BY THE ADOPTION OF THE WATER-STREET ROUTE.

First. The conditions heretofore existing as to the title to the water-front property having been removed by the decision of the United States Supreme Court, declaring and vesting title to all of the ground south of Water street in the United States Government, makes the water-front property available for the use of the railroad tracks and viaducts, this, without any injury to public or private interests.

Second. It restores to the city in their original state Maryland and Virginia avenues, thus making possible the treatment of these streets on lines laid down by the Parking Commission, and in accordance with their recommendations and suggestions, a conspicuous feature of their plan being the beautifying of Maryland avenue and making it one of the famous streets leading from and connecting the Capitol building with Potomac Park, the new highway bridge, the prospective memorial bridge, and the circuit of parks provided for under the Park Commission's plan.

Third. It will save several hundred thousand dollars to the city and the United States Government in the shape of enormous costs, by reason of changes in street grades, building of approaches to bridges, and enormous damages to private property along the railroad line.

Fourth. It means larger revenues from taxable property by reason of increased land values; it will give greater revenue from the wharf property and the water front; it will result in considerable savings to owners having improved property along the present line of railroad tracks, as under the present bill their property will be continually damaged by the heavy traffic, climbing of grades, smoke, and other annoyances incident to the business of the railroad companies.

Fifth. It will increase the value of property in the entire southwest section of the city; in the central part of the southwest section because of its removal from, and the southern part because of its removal to, a location where property is assessed at a low figure, by reason of little value and which, under the changed conditions, would become valuable for commercial purposes.

Sixth. The Water street route would mean the making of a new town in the southwest section of the city, throwing open, as it would, and making desirable for resident purposes, a large part of the southwest section, and increasing the value of the other part for commercial purposes.

Seventh. It will do away with the necessity of changing the water, sewer, and gas service of the city to accommodate the depressed system under the present plan; it will allow the street-railroad tracks as they now are; it will do away with the necessity of excavating a considerable portion of Maryland avenue, which would be a menace to health, jeopardizing as it would the health and life of those living close to Maryland avenue, and bringing about a condition that may cause an epidemic of typhoid fever and other sickness in and throughout the entire city.

Eighth. It will afford an opportunity to erect desirable houses and homes for a large number of people employed in the various Government departments along B street SW., who are unable under the present conditions to secure desirably located homes in this section of the city, due to the fact that the section north of Maryland and Virginia avenues is small and limited, and is entirely built up, compelling the employees, at considerable time and expense, to go elsewhere for places of abode.

Ninth. It would mean the preservation of Garfield Park, the saving of the United States Goverment reservation between Seventh and Ninth streets, C street, and Virginia avenue SW., and several smaller reservations, and numerous streets and avenues designed and laid out solely for the use, comfort, and enjoyment of the people.

Tenth. The Water-street route will save to the United States Government and the people more than 900,000 feet of ground, comprised in the streets, sidewalks, and public spaces, and which under the pending bill is given over to the railroad companies, without compensation of any kind whatsoever, and which, as before stated, will amount to a grant of public land to the railroad companies of a value more than \$700,000.

Eleventh. The Water-street plan we believe to be practicable, having been reliably informed that there are no engineering obstacles to the carrying out of same; that it is the most satisfactory solution of the railroad question as it affects the Southwest section of the city, settling it, as it will, for all time to come; it will mean the saving of several hundred thousand dollars to the railroad companies in construction charges; it will mean the saving of large sums to the taxpayers of the District of Columbia and to the United States Government; and, finally, it will bring about a condition inuring to the benefit and welfare of the entire capital city.

DEFINING THE PLAN AND ROUTE OF THE STEAM-RAILROAD TRACKS IN THE SOUTHWEST SECTION OF THE CITY AS RECOMMENDED AND ADOPTED BY THE SOUTH WASHINGTON CITIZENS ASSOCIATION.

Commencing by a curved line from the Long Bridge to a point in Water street between Thirteenth and Fourteenth streets southwest, 40 feet south of the north line of said Water street; thence southeastwardly along Water street on an elevated structure to a point at the foot of Eighth and K streets southwest; thence eastwardly along K street southwest on an elevated structure to a point at the junction of K street and Delaware avenue southwest; thence by a curved line into Delaware avenue and proceeding northeastwardly in the middle of said avenue on an elevated structure to a connection with the line of tracks provided for in and under Senate bill 4825; and also from a point on said above-described line, that is to say, by a continuation of the tracks at the intersection of K street and Delaware avenue southwest, eastwardly along K street southwest and southeast, to a connection with the tracks at the beginning of the navy-yard tunnel; it being the purpose of this plan that all grade crossings shall be abolished.

And your memorialists will ever pray.

R. HARRISON JOHNSON, *Chairman.*

W. A. H. CHURCH,

THOS. P. STEPHENSON,

MILLARD F. THOMPSON,

*Special Railroad Committee of the
South Washington Citizens' Association.*

JAMES F. SCAGGS,

President South Washington Citizens' Association.

FRANK B. GILMORE, *Secretary.*

Mr. JOHNSON. Gentlemen, I thank you for your courtesy.

MR. S. L. PHILLIPS ON "WATER STREET ROUTE."

WASHINGTON, D. C., June 9, 1902.

Hon. J. W. BABCOCK,

Chairman of the Committee on the District of Columbia.

DEAR SIR: I have noticed in the newspapers that certain citizens of Southwest Washington are urging upon your committee a railroad route traversing K street south from Eighth street to Delaware avenue.

I desire to say that I am the owner of a new and fine building at the corner of K and Four-and-a-half streets SW., comprising a large store and apartments above.

The occupation of K street by an elevated railroad would most seriously injure my property, and I beg that if this route should be chosen by Congress that the law should be made to provide for redress to those persons injured by an appeal to the courts.

This would be only common justice.

Yours, respectfully,

S. L. PHILLIPS.

MR. ALBERT HERMAN AND MR. I. HERMAN OPPOSE "WATER STREET ROUTE."

WASHINGTON, D. C., June 5, 1902.

Hon. J. W. BABCOCK.

SIR: Having read in the Star the report of the South Washington Citizens' Association, I wish to inform you that the report does not voice the sentiments of the majority of South Washington's residents, it being simply a whim of a few whose property the railroad does not wish to purchase.

I therefore earnestly request you to use your influence that no changes be made in the present bill as to the route and closing of streets, as these features can not be improved upon. The Park Commission's plans do not affect Virginia avenue and Maryland avenue at all in this section. The route, as proposed by the association, has been reported against by the Commissioners as being an undesirable one, and we therefore pray that you will not sanction same.

Respectfully,

ALBERT HERMAN AND OTHERS,
Citizens of South Washington for over forty years.

WASHINGTON, D. C., June 6, 1902.

Hon. J. W. BABCOCK.

MY DEAR SIR: I have read the report of the South Washington Citizens' Association urging the removal of tracks from Virginia avenue, and must say that this report represents only a small, and that a very small, part of residents of South Washington. The majority of residents as well as merchants of our section favor the bill as passed by the Senate, and also the bill as passed in February, 1901, for the tracks to remain on Virginia avenue, but same to be elevated as passed. I think it is the best plan, and also does away with these "grade crossings," which have been a source of danger and annoyance for years.

If this matter is to be kept open and agitated by everybody we will never have a bill passed. It is impossible to suit everyone in this matter, and as long as the Secretary of War has made a favorable report on the plan as passed by the Senate I think that that ought to be of more weight than this report. I have been a resident of South Washington for forty-six years, and been living on the line of Pennsylvania Railroad ever since same came into the District. If everybody wants to be pleased, and have plans for elimination of grade crossings to suit themselves, we never will have a bill passed.

I hope that you and your honorable committee will report favorably and pass the bill same as in the Senate, as that bill is satisfactory to all, and thereby for once and all rid our beautiful city of this long-standing danger and nuisance.

I am, yours, most respectfully,

I. HERMAN.

THE CHAIRMAN. I desire to lay before the committee a petition which has just been handed me from certain citizens of South Washington, protesting against the action of the South Washington Citizens' Association, who have, I believe, already been heard.

Hon. J. W. BABCOCK,

Chairman District of Columbia Committee:

The undersigned property holders of South Washington protest against the passage of the amendment to the railroad bill as prepared by the South Washington Citizens' Association, and commend the bill of February 12, 1901, on the Calendar, believing the same to be for the best interests of and approved by a large majority of property holders in that section. We are advised that the amendment above referred to, if enacted into law, will be beneficial only to a few in the way of booming certain real estate, and will not afford relief to the citizens of that section.

The undersigned are able to present at least six unanswerable reasons why said amendment should not be passed.

A. J. Sanford, 1119 Four-and-a-half street SW.; G. H. Boswell, 1225 Sixth street SW.; James Campbell, 322 N street SW.; Wm. R. Hunt, 1105 Four-and-a-half street SW.; E. C. C. Winter, 815 Four-and-a-half street SW.; Andrew Archer, 831 Four-and-a-half street SW.; Joseph D. Aiken; James B. Archer; C. W. Burrows, 1110 Four-and-a-half street SW.; John H. Cockrell, 1011 Four-and-a-half street; R. P. Yeatman, 1013 Four-and-a-half street; Victor F. Montgomery, 1112 Four-and-a-half street SW.; Thos. R. Kennedy, 1121 Four-and-a-half street; Wm. K. Mitchell, 1219 Four-and-a-half street SW.; Robt. V. Godman, 1129 Four-and-a-half street SW.; John E. Williams, 1100 Four-and-a-half SW.; Winifred O'Connor, 471 L street SW.; Kate McNerney, 474 L street SW.; C. E. Berger, 476 L street SW.; Carrie Warren, 478 L street SW.; Michael Burke, 495 L street SW.; William Kienle, 364 N street SW.; Harry D. Nash, 1001 Sixth street, corner K, SW.; V. M. Bolderson, 900 Sixth street SW.; G. T. Jones 731 Four-and-a-half street SW.; Samuel L. Demty, 1201 Third street SW.; R. H. Sorrell, 329 N street SW.

The CHAIRMAN. The next to be heard is the North Capitol and Eckington Citizens' Association.

STATEMENT OF MR. WILLIAM G. HENDERSON, PRESIDENT OF THE NORTH CAPITOL AND ECKINGTON CITIZENS' ASSOCIATION.

Mr. HENDERSON. Mr. Chairman and gentlemen of the committee, in the first place it is conceded, I take it, on all hands that the section of the District known as Eckington is more seriously affected detrimentally than any other by the proposed change looking to the abolishing of grade crossings and the erection of a union station. I want to state our people are heartily in favor of a union station and the abolition of grade crossings.

We are here not to urge any radical changes in the existing bill. We are seeking simply to minimize the damage to our particular section. The section directly affected injuriously by these changes shows in improved property—not unimproved, but improved property—a

valuation of at least \$600,000. The bill closes on the right of the present roadway of the company two of our streets which are now open, asphalted, and have stone sidewalk pavements. That we recognize probably is a necessity in order to carry out this project. We are not opposing that. It proposes also to take in a piece of the property on the south of Eckington proper, beginning with R street and extending south to Florida avenue. We recognize that perhaps it is necessary for the convenience of the railroad company to occupy a portion of that property. We can see no necessity, however, for carrying the yards from that point on the south as far north as R street.

If you permit them to carry the yards to R street you destroy practically the improved property right north of that point, which represents a valuation of not less than \$500,000. Now, it is in your power to minimize that damage by keeping the road south of R street at that point for the freight yards. We propose, in order to accomplish that, that this bill shall be amended so that the companies shall keep their freight yards and tracks south of Quincy street. Now, on the south side of R street, which is taken in by the present bill, there is a row of houses extending from Second to Third on Quincy street, and south of R a row of apartment houses, two stories, small houses it is true, extending from Third to Second, and that street is asphalted.

We want you to keep the freight yards and tracks south of Quincy street, and then to have Quincy street extended from the intersection of Second in a southwestwardly direction, to connect with Q street. That will give the people an opportunity to come through a diagonal street to Q, and then out into the heart of the city. Now, that is one proposition, to keep them south of Quincy street. The next proposition is that you shall cause the railroad company to erect a stone wall of the height of 8 feet, extending from Eckington place along the northern boundary of the railroad tracks and yards as far as T street NE., in order that Eckington and all that locality may have a buffer between themselves and the immense freight yards you are going to locate on the east and south.

Now, the Commissioners have estimated the cost of the stone wall to be the insignificant sum of \$28,000. I say "insignificant" as compared with the damage that is done to the property there and compared with the \$3,000,000 which you gave to the two railroad companies in order to enable them to carry out these improvements. On that project I would like to read to you the report made by the Commissioners to the Senate Committee. It is not what is known as the official report of the Commissioners, but it is the first report made by the Commissioners to the Senate committee, and bears directly upon these two propositions that we are urging before your committee. It was printed for the use of the Senate but did not accompany their report to the Senate body proper, and I would like to read it in support of my argument. The Commissioners say:

"The citizens who claim to be affected most disadvantageously by the proposed legislation are those living in and around Eckington. This suburb has the railroad to the east and south and a hill to the west, over which the streets are not yet improved, and even when improved will have heavy grades. Communication with the city is only to be had along R street between Second and Eckington place. This short piece of street had double car tracks with curves at Ecking-

ton place and Second street, making it rather difficult passing. Existing legislation provides for the final opening of Third street, but the present bill closes this street.

The widening of Eckington place will help the matter somewhat, but the exit will still be inconvenient, and S and T streets should be opened and improved as soon as possible. The Eckington Citizens' Association has expressed itself as interested in the project, and while it states that the proposed legislation will damage property in Eckington, it only asks for the following concessions:

"First. That the roundhouse and shops be located east of Seventh street. This is provided for in the plan submitted by the railroad companies."

The provision is carried out and it is satisfactory to us so far as the location of the roundhouse is concerned.

"Second. That the freight station be kept south of Q street, and failing that, south of Quincy street. The former restriction does not seem practicable, as the station covers most of Q street east of Eckington place. The railroad plans do not indicate at present any station north of Quincy street, but it is explained that the railroad may wish to extend over the whole space to the south side of R street within a short time."

Now we say they have no need at present, nor will they ever for years to come, for the use of that property between Quincy and R streets.

"The south side of R street between Third and Second streets is almost entirely built up with substantial houses; the north side of R is as yet unimproved. The north side of Quincy street, on the part opened, is built up with brick dwellings; the south side is unimproved. Owing to the shut-in condition of Eckington it would be desirable, unless the railroad company has absolute need of this land for freight facilities in the near future, to require Quincy street to be kept open and continued to Eckington place."

Now, the running of this diagonal street was suggested by Engineer Commissioner Biddle in interviews we had before the Commissioners on this subject as being the most practicable, and as being entirely feasible.

"Third. That there should be a stone wall seven or eight feet high built between Eckington and the freight yards and tracks as far north as T street. This is simply a question of expense. This fence would cost \$12 per foot, a total cost of \$28,000. If the railroad extends its freight yards to the south side of R street, such a fence should undoubtedly be built for the protection of dwellers on the north side of R street."

Now, gentlemen, we have drafted here the changes which we consider necessary in the present bill in order to carry into effect those two provisions we have spoken of.

One thing more before I close: It seems to me there ought to be a provision in the bill that should forbid the railroad company from using soft coal on their shifting engines and in their roundhouse. Now, remember you are locating an immense roundhouse, and they will have an immense number of shifting engines in what is at present strictly a dwelling portion of the District of Columbia. You know what steps you have taken to abolish the emission of smoke in the city proper. Now, it seems to me we ought to have some protection

against the immense volume of smoke which will be issuing day and night from the shifting engines and the roundhouse; therefore you ought to have some provision in here forbidding them to use soft coal on the shifting engines and in the roundhouse.

These are the suggested changes we ask, and I will submit a copy, as follows:

Page 9, lines 18, 19, and 20, strike out "the bed of Quincy street and Third street, between New York avenue and R street, and in and upon."

Same page, line 21, strike out "R street" and substitute "the south building line of Quincy street."

Page 10, line 4, after "above mentioned," insert: "That Third street shall be left open between R and Quincy streets northeast; and from the intersection of Quincy and Second streets northeast, as laid down on the street-extension maps of the District of Columbia, a street shall be opened by said railroad company, extending to the intersection of Q street and Eckington place northeast, the title to the ground within the limits of said connecting street to be dedicated to the District of Columbia by said railroad company."

Same page, line 19, strike out "side of R" and substitute "building line of Quincy."

Same page, lines 19 and 20, strike out "Quincy street shall be closed and abandoned."

Page 12, line 5, after "act," insert: "That said railroad company shall erect and maintain a substantial wall of stone, of a height not less than 8 feet above the level of the streets on the lands adjacent to its freight tracks, extending from Eckington place along and outside of the northern and western line of said tracks to T street northeast."

MR. VERNON H. WHITMAN OPPOSES PLAN OF NORTH CAPITOL AND ECKINGTON CITIZENS' ASSOCIATION.

WASHINGTON, D. C., June 17, 1902.

Hon. JOSEPH W. BABCOCK,

*Chairman House Committee on the District of Columbia,
House of Representatives.*

SIR: In connection with the union-depot bill now before your committee, and for the special consideration of the subcommittee, Messrs. Mudd, Mercer, and Cowherd, I have the honor to state that as the owner of premises 219 R street NE. (Eckington), which I occupy as a home, I am opposed to the plan advocated by the North Capitol and Eckington Citizens' Association (of which association I am a member), in so far as said plan refers to the proposed freight yard at Eckington of the Baltimore and Ohio Railway.

Very respectfully,

VERNON H. WHITMAN.

The CHAIRMAN. The East Washington Citizens' Association will now be heard.

STATEMENT OF MR. M. I. WELLER.

Mr. WELLER. Mr. Chairman and gentlemen of the committee. I do not think I will require the nine minutes. The position of the East

Washington Citizens' Association to-day is precisely what it has been for the past twenty years. We have been battling for the abolition of grade crossings, and when your bill was passed last year abolishing grade crossings we rejoiced, and what we to-day protest against is to renewing the agitation unless it relieves us to a greater extent.

The question of depots is to us a secondary one. We are in favor of a union depot if necessary. If you in your wisdom desire that we should have two depots, we accept it; all we ask is to be relieved of the 65 death traps that are at present in the city of Washington.

Mr. PEARRE. Does not this bill relieve you?

Mr. WELLER. It does at present, and we ask for its passage provided certain things are done. We ask that these deaths shall cease and that we shall finally reach action, that is what we desire at the present time.

I did not intend to protest against any acts of any citizen here this morning, but I am forced to do so from my individual interests. The South Washington Citizens' Association here this morning recommended to you a route from the intersection of K street and Delaware avenue to the tunnel at Seventh street east. Now, as a property owner I wish to state this: To begin with, I am probably the largest property owner in East Washington. I have larger interests along that line of the railroad than any other of those citizens present so far as real-estate interest is concerned, and two and a half years ago I put up 29 houses as an investment for myself. They were not for sale; the sign was put on them that they were not for sale, but they were an investment for rent; in square 849, on the line of K street.

I erected them there simply because I had received assurances from the District Commissioners and individual members of the House committees and the railroad authorities that they intended to abolish grade crossings, and now these gentlemen here from South Washington are proposing to perpetuate grade crossings in southeast Washington, eastward from the intersection of New Jersey avenue and K street. I see here in this room our Engineer Commissioner, and I believe if the question was put to him he would tell you it is a physical impossibility; it is not possible to have an elevated structure from the mouth of the tunnel at Seventh street southeast to this intersection. That is a question I would like to refer you gentlemen to in examining this matter.

While as an association we would probably not indorse every one of Mr. Warner's views we would concur in the most of them, but I tell you what we are most anxious for is to be relieved of these death traps. Within two weeks we have had two deaths; one in front of my property on Fifth and K on Saturday afternoon at half past 3 o'clock. I believe one of the members of the coroner's jury is in this room at the present time which investigated the circumstances. A poor old man, Peter Kilroy, crawled under the gates there; the gates were down, so the company was relieved from responsibility. The gatekeeper struggled with him and tried to pull him back, but the old man ejaculated that he did not mind gates and got away and stepped in front of a moving engine and was killed.

Monday of the same week, at New Jersey avenue, a similar accident occurred, causing the death of Marcellus Marceron. We ask you to protect life; we do not care for dollars and cents; they are not to be considered in comparison with the protection of life, and we ask you

to abolish grade crossings in southeast and northeast Washington. All the arguments that have been offered you to-day, or have been in the past, have been mainly in the line of the abolition of grade crossings, and I do not doubt the majority are absolutely sincere, but I do apprehend, Mr. Chairman and gentlemen, some are governed by the question of dollars and cents, by their moneyed interest. We, the East Washington Citizens' Association, appeal to you to save life.

Mr. HUME. Do you know anyone in the District of Columbia who has not favored the abolition of grade crossings and a union depot?

Mr. WELLER. I believe everybody professes to, but I judge men by their actions.

Mr. HUME. And always have been?

Mr. WELLER. Personally, you have, Mr. Hume. I exonerate you from any such motives.

Mr. MUDD. What is your position before this committee; do you come here urging the passage of this bill?

Mr. WELLER. I urge the passage of this bill consistent with the wisdom of this committee. All we ask is that you pass the bill in such shape that when it will be adopted it will do away with grade crossings. We ask you to pass bill 4825, and without further delay.

The CHAIRMAN. When you say you favor this bill, do you mean you favor the route of the bill?

Mr. WELLER. Yes; the bill in its general aspects. The East Washington Citizens' Association passed resolutions and forwarded those resolutions, I believe, to this committee and to the Senate committee, and—

Mr. JOHNSON. Mr. Chairman, may I ask the gentleman one question?

The CHAIRMAN. Yes; you can ask one question.

Mr. JOHNSON. He says we do not want to abolish grade crossings. Our plan provides that all grade crossings shall be abolished by elevating the tracks in the manner we suggest, and we do not think that this association ought to be placed in that position. Besides that, the greatest reason for the adoption of our route is it relieves the United States Government and the District of Columbia of the payment of any costs in the shape of heavy damages to abutting property, for by the change which we suggest not one dollar will have to be paid by the United States Government or the District of Columbia.

Mr. WADSWORTH. Where would it diverge from the K street route to get over on Massachusetts avenue to the proposed site for the new station?

Mr. JOHNSON. The tracks join on Half street, and they connect with what will be the Capitol Hill tunnel.

STATEMENT OF MR. EVAN H. TUCKER, PRESIDENT OF THE NORTHEAST WASHINGTON CITIZENS' ASSOCIATION.

Mr. TUCKER. Mr. Chairman and gentlemen, I understand that I have nine minutes, and as another member of our association desires to have three minutes, I would like to be called down when I have occupied six minutes.

Mr. Chairman, this question of abolition of grade crossings has agitated the citizens of Washington for the last twenty years, and you probably have noticed, in your large experience here, that there is a

great diversity of opinion in regard to the location of the station, the route that shall be fixed to get to it, and the manner of paying the cost, etc., of the changes of grades.

There are three points upon which there is a consensus of opinion among the citizens of Washington: First, we all want grade crossings abolished; second, we all want them abolished speedily; and, third, we are all in favor of a union station. I have heard nobody say that he wants two stations instead of one.

In regard to the danger of grade crossings, I want to call your attention to one thing that is prepared here from the police records—

The CHAIRMAN. I want to say that there is no use in taking the committee's time in a discussion of that kind. It is not a question of grade crossings; but what the committee wants to hear is your objection, if you have any, to the routes proposed in this bill.

Mr. TUCKER. Well, I want to say for the citizens of northeast Washington that this (northeast Washington) is a section of the city that the new station is to be located in. Northeast Washington is the section that has suffered most from the existing conditions, and from conditions worse than actual grade crossings, because the railroad that is there now was laid years ago, before the grades of the city were established, and therefore the road does not conform to the present grades.

Mr. PEARRE. Just there a moment. Has not that been abolished by the act of 1901?

Mr. TUCKER. Yes, sir.

Mr. PEARRE. Current legislation, which is now law?

Mr. TUCKER. That has been accomplished by that. We were satisfied with that law, and I have presented a petition signed by 3,000 men in favor of this; not exactly this, but a similar proposition. I have a report here of the Northeast Washington Citizens' Association, approving this bill in general; that is, in regard to everything in northeast Washington. We do not want to interfere with the opinions of the people in southwest Washington or the people in Eckington or southeast Washington. We do not think we have anything to do with what they want, but we approve of everything in this bill in relation to our own territory, we approve of everything in our territory except that we have a few amendments which we would like to have made, and which are proposed in the recommendations of the association, and which I think I can explain to you in a very few minutes.

A more direct, speedy, and satisfactory method of ascertaining damages and benefits to property should be provided, instead of uncertain slow, costly, and possibly vexatious lawsuits. The method pursued under the street-extension laws seems to be specially applicable to this bill. There will be about 300 people interfered with by the change of grades by this location and the change of grades at the station. Now, it would be quite a hardship on the people in our locality to have to go into court and sue in each case for the damages to their property. We claim that if a commission was appointed to consider these claims, and if it were provided that all claims should be filed with this commission, that it would be a better way to adjust it, and the commission would be better qualified to decide these questions than separate juries; that it would be better for the Government and citizens themselves. There will be at least 300 claims for damages, as I

have said, and we think that one commission to pass upon them would be better than 300 juries.

Mr. MORRELL. Are you not satisfied with the jury system in such cases?

Mr. TUCKER. The jury system would be satisfactory, but I say that a commission that would pass upon the claims would be more satisfactory.

Mr. MORRELL. How many claimants do you think would be satisfied with the decision of that commission?

Mr. TUCKER. If they were not satisfied, they could go into court.

Mr. MORRELL. And 99 per cent would probably go into court.

Mr. TUCKER. I hardly think so.

The next question is in regard to the street on the west side of the station. The bill provides for a street 40 feet wide on the west side of the station. We claim that 40 feet wide is entirely too narrow. This would be an important street, there would be a great deal of traffic on it. There are no streets of the city less than 70 feet wide, and we claim that this proposed street should be at least 80 feet wide. We should also keep in mind that it is possible that it will be desired to put a car line on that street.

A MEMBER. What is the name of that street?

Mr. TUCKER. That is the new street to run on the west side of the terminal. The original bill, this same bill, provided for a street on the east side of the terminal to allow F street to run through. In the Senate that was struck out, so that no outlet for F street is provided for. F street is a very important thoroughfare there; there is as much traffic on F street in east Washington as any street except H street. It would be a hardship on a great many people to make them go two squares out of their way in going through F street.

The CHAIRMAN. Your time has expired.

Mr. Tucker filed the following additional statement:

NORTHEAST WASHINGTON CITIZENS' ASSOCIATION,
Washington, D. C., June 18, 1902.

HON. J. W. BABCOCK,

*Chairman Committee on the District of Columbia,
House of Representatives.*

DEAR SIR: At a regular meeting of the Northeast Washington Citizens' Association, held on April 14, 1902, the following report was adopted, and the committee on legislation was directed to transmit the same to Congress.

Very respectfully,

EVAN H. TUCKER,
President.

APRIL 14, 1902.

To the Northeast Washington Citizens' Association:

Your committee on proposed legislation by Congress, to whom was referred a bill introduced in the Senate on January 8 last, providing for a union railway station, together with the report of your committee on steam railroads on said bill, presented to the association on January 13, and various resolutions and propositions relative to the

steam railroad question, have given the subject the careful consideration that the many questions involved require, and respectfully report:

The most objectionable proposition contained in the above-mentioned bill was that authorizing the absolute closing of H street for a distance of 300 feet on either side of Delaware avenue. Your committee took up this proposition and was unanimously supported in opposition thereto by the residents of northeast Washington and by many persons who hold mortgages on northeast property. Each of the District Commissioners gave us most cordial and attentive interviews, and with their assistance we succeeded in having the new bill, which was presented to the Senate March 31, provide that H street shall be kept open, the railroad tracks to cross the street at a proper elevation, with as little interference as possible with the traffic. The suggestion in the report of your committee on steam railroads that no provision was made for the payment of property taken for the plaza and for damages caused by changes of grades was also taken up, and a clause is inserted in the pending bill covering these subjects more or less satisfactorily.

The pending bill is about as acceptable as can be expected, with due regard to the commercial interests of the city and the convenience of the traveling public, if not quite satisfactory to persons whose property will be taken or damaged. While we all hold that the removal of all steam railway tracks and their appurtenances would be a great relief to our section of the city, we must concur in the general opinion that such structures can not be placed anywhere in any city without affecting the property and other interests of many persons.

The proposition to change the grades of the streets to accommodate them to the tunnel and proposed union station seems to us now to be the paramount question affecting the situation. Such changes of grades and the acquisition of the large area necessary for the proposed plaza and the streets and avenues leading thereto, together with the large amount of money necessary to pay for damages to the property affected, is a question which confronts every tax payer in the District and to which the most serious consideration of all our people should be given. From the information that we have been able to obtain the cost of all this is estimated at \$1,670,000, the payment of which will be spread over a number of years and will be borne by the United States and the District governments in equal proportion of one-half by each.

In addition to this, the \$1,500,000 to be paid to the Baltimore and Ohio Railroad Company provided for in the act of February 12, 1901, remains in force, one-half of which is to be paid out of the revenues of the District immediately upon the completion of the work required by said act. Thus it will be seen that about \$1,600,000 of District revenues will be contributed to the proposed improvements. Your committee has found a very strong sentiment prevailing among many of our taxpayers against such contributions on their part for the betterment of the steam railway conditions. To meet this opposition we do not lose sight of the fact that by the proposed bill and under existing law the railroads are required to expend on their station buildings and appurtenances about \$14,000,000, of which amount about \$12,000,000 will become taxable "in the same manner and to the same extent as other property in the District, and all tracks and sidings shall be taxed as real estate." Therefore, by the usual method of assessment, the District revenues will be increased about \$180,000 a

year for many years to come. As to which side will suffer more under such conditions we leave to the fair judgment of our fellow-citizens of the District.

Besides the above sums, the bill provides that the United States shall pay \$1,500,000 to the Baltimore and Potomac Railroad Company as a consideration for its surrender of its rights to use that portion of the Mall now occupied by it. While your committee believes that the location of the station as proposed in the bill may be detrimental to the property in its immediate vicinity, especially where the grades of the streets will be affected, it is our opinion that the location of the proposed grand monumental structure in northeast Washington, and the bringing of all the passenger traffic of the city to this point, will materially promote the interests of the northeast as a business section, and will thus be to the advantage of the entire eastern portion of the city; and inasmuch as the main purpose of the bill is a link in the great chain of improvements to follow in the near future, by which the Mall will be restored to its original and legitimate use, we believe that many of our good people whose property will be taken and whose homes will be temporarily disturbed are magnanimous enough to bear such sacrifices for the general welfare.

After the thorough consideration we have given the subject, your committee feel justified in submitting the following recommendations:

First. That to so much of the bill as provides for the annihilation of grade crossings we give our unqualified approval.

Second. That to so much of the bill as affects the interests of other citizens' associations we give our passive acquiescence, subject to any changes desired by such associations.

Third. That a more direct, speedy, and satisfactory method of ascertaining damages and benefits to property should be provided, instead of uncertain, slow, costly, and possibly vexatious law suits. The method pursued under the street-extension laws seems to be specially applicable to this bill.

Fourth. That the new street along the west line of the station should be at least eighty feet wide, and that, instead of a stub street on the east, F street should be continued west of Second street by a line curving toward Massachusetts avenue.

Fifth. That after so many years of agitation, effort, and expense, to say nothing of the losses of lives and limbs of so many of our good people or the exasperating delays at the crossings, we accept with a spirit of appreciation this proposition, which we believe is the best solution of the question that we can expect to ever obtain and by which the national capital will be relieved of the blighting influences of the present conditions, from which it has so long suffered.

EVAN H. TUCKER,
W. J. FRIZZELL,
S. SOWERBUTTS,
Committee on Legislation.

STATEMENT OF MR. WILLIAM J. FRIZZELL.

MR. FRIZZELL. Mr. Chairman, I appear here as a representative of the Northeast Washington Citizens' Association, of which Mr. Tucker who has just spoken is president, and of which I am the chairman of

the committee on railroads. Therefore I have been connected with this agitation for quite a number of years, and have given great attention to it, and feel qualified to speak for a large majority of the citizens of northeast Washington, with whom I have come into contact with for a number of years. I wish to emphasize and concur with the remarks made by Mr. Warner and by Mr. Weller so far as east Washington is concerned.

In discussing this bill, a great deal has been said relative to the costs and the contributions and hardships that would be imposed on the people of the District of Columbia, and the largest sum that I have seen charged or made chargeable is that of \$4,000,000, which I think is a very great exaggeration of the amount to be contributed by the District of Columbia toward these changes.

THE CHAIRMAN. What \$4,000,000 do you refer to?

MR. FRIZZELL. It is made up of a million and a half dollars to the Baltimore and Ohio Railroad—

THE CHAIRMAN. You refer to the contributions by the District and the United States?

MR. FRIZZELL. No; I say that I have seen estimates made as large as \$4,000,000, to be contributed by the District alone, including the changes of grade in South Washington, and the approaches to bridges to go over the tracks, and everything connected with that, but I think the estimate of \$4,000,000 is an exaggeration. But even taking that to be a fact, I have made some figures, and I go on the assumption the Government will advance some of this money at the rate of 2 per cent.

MR. HUME. That is not in the bill, though, I believe.

MR. FRIZZELL. There is some proposition, or something of that kind, in some other bill. Four million dollars at 2 per cent would mean \$80,000 interest per annum; that is what the interest would amount to. According to the bill, all of the property of the railroad companies is to be taxed as other real estate, and is supposed to amount to \$12,000,000—

MR. COWHERD. As I understand it, you say that this project was contained in the Senate bill?

THE CHAIRMAN. The gentleman's time has expired.

MR. FRIZZELL. I would like to write this out and insert it in my statement.

THE CHAIRMAN. You can hand it to the stenographer.

Mr. Frizzell submitted the following statement:

\$4,000,000 at 2 per cent = \$80,000 interest per annum.	
\$12,000,000 taxed as real estate, at 1½ per cent.....	\$180,000
Deducting interest as above	80,000
Leaves.....	100,000

a year as a sinking fund, which in forty years would amount to the \$4,000,000 contributed. Deduct the interest at 2 per cent on amounts collected each year would shorten the time to about thirty years.

In the discussion of the bill approved February 12, 1901, it was maintained and very generally conceded that the surrender of the ground owned in fee by the Baltimore and Ohio was worth a very large portion of the \$1,500,000 contribution, and that the equities to which the Baltimore and Ohio was entitled was worth more than enough to balance the account. Of the \$1,500,000, only one-half was to be paid by the District; the other half is no concern of the District.

STATEMENT OF MR. JOSIAH MILLARD.

Mr. MILLARD. Mr. Chairman, I was elected as spokesman of the East End Suburban Citizens' Association.

Mr. Chairman and gentlemen of the committee, in opposing this bill as it passed the Senate, I wish to present three objections:

(1) The bill, if it were passed, would be detrimental to the people of the District of Columbia. It virtually excludes all roads not already existing from entering the District hereafter. The amendment offered by Senator Patterson would have given some relief, but that which was prepared by the attorneys of the railroad companies and passed by the Senate is a delusion. It will not affect the continuance of the monopoly which the bill, as a whole, establishes. If it is impossible to pass the Patterson amendment now, it will be impossible forever hereafter to secure the admission of any new road.

The lobby of the Pennsylvania road will not be made weaker, but stronger, very much stronger, by the passage of this bill, for it places the whole transportation business here in the hands of that road, and its passage would go to assure the perpetuation of that absolute command of the situation which is emphasized by the action of the Senate in rejecting the Patterson amendment. It is not difficult to foresee that a company wielding the enormous power of that company over the railway and telegraphic and journalistic agencies of the country, once in exclusive possession here, will be in a position to control the situation and prevent other companies from building lines to compete with theirs. No such opportunity to dominate legislation ought to be given to any corporation for any length of time, much less forever. It is idle to say that it may be repealed or amended. The effect, not the pretense, of legislation is the real test. This bill once passed will never be repealed or amended except upon the demand of the Pennsylvania Railroad Company.

Who does not see that this bill violates that equality which ought to be the basis of every law and which is more indispensable in proportion as the validity or expediency of any law is more liable to be impeached? And who does not know that attempts to arm such measures with legal sanctions tend to enervate the laws in general and to slacken the bonds of society? If it be difficult to execute any law which is not generally deemed necessary or salutary, what must be the case where it is almost universally regarded as invalid and dangerous? No anarchistic propaganda in any country ever did so much to foster contempt and hatred of the Government as such legislation.

In effect the bill gives to the Pennsylvania Company the exclusive right of way through this District, a franchise worth at least \$50,000,-000 and one which will grow in value with the growth of Washington. It also gives, in effect, a perpetual and exclusive right of way across the Potomac at this point.

These franchises are worth as much to the people of the District as they are to the Pennsylvania Railroad Company. Their value is public property as much as this house is public property, and to give away this valuable property to a corporation already overgrown, already among the richest in the whole world, taking thereby a source of revenue from the city, and at the same time throwing a heavier burden of taxation upon its inhabitants, seems to me both unjust and unwise. Our public rights ought to be preserved. Our hands and the hands

of coming generations ought not to be tied in this way. Suppose a time should come when there would be great competition for terminal facilities here; suppose the Wabash system or the Norfolk and Western should wish to bid for such facilities, we should, if this bill passes, be deprived of all the benefit of such competition. The Pennsylvania Company would be in possession, and would be master of the situation. No such thing could happen in any intelligent community having control of its own affairs.

If this bill were submitted to a vote of the people of the District it would be overwhelmingly defeated. I want to call your attention to the remarks of Governor Crane, of Massachusetts, in his veto of the Boston subway bill last June. *Mutatis mutandis*, those remarks apply with equal force to this bill. But the franchise and monopoly are not all. This bill gives in money and land nearly \$6,000,000 to the railroad company. Six million dollars, Mr. Chairman! And what do we get in return for this sum? We get our hands tied and our pockets emptied. We get personal taxes imposed on us. We get debts piled upon us. We are left to the tender mercies of a single arrogant and exacting corporation. We are placed in a position to be pillaged and persecuted forever. We get a viaduct cutting our city into halves, and bearing locomotives to smoke us out of those halves, to fill our homes with soot and dust, and to deafen us with their eternal clangor. Oh, sir, if possible, our reward is to be worse than our punishment. What have we done to merit either the one or the other? What has the Pennsylvania Railroad Company done to entitle it to such favoritism at the hands of Congress—to such power over our fortunes, public and private? Why is that corporation entitled to such advantages over all others? Why should reason, justice, and law be disregarded in favor of that particular company? From both the economic and the aesthetic points of view the bill is an outrage.

(2) But, Mr. Chairman, there is a still more important objection to this bill. It will put the Government of the United States, as well as the people who permanently reside here, in the power of one corporation. What would be the probable strategic effects of that? This country has not always been at peace, nor will it be. It will need more and more lines of transportation between its capital and its armies in the future. By examining the plan of this city, you will see that its founder was guided principally by military considerations. Its broad avenues converging at its center were intended primarily for military movements. Strength and safety were his first care. Suppose a bill like this had been presented to Washington—a bill not only limiting the means of communication with the rest of the Union, but destroying absolutely and forever the strategic excellence of his plan in the city itself—a bill limiting to one company the right to cross the Potomac at the nearest practicable point on the river above the sea—at the only available point, indeed, between the mountains and the Atlantic, and on the great thoroughfare between the North and the South.

Suppose, I say, this bill had been presented to Washington; what would have been its fate? The very design of the ten-mile square, as well as the plan of the city, is a sufficient answer to this question; for that design was to make this District the citadel of the national authority, the Alhambra of America. This bill destroys that design. Its tendency is to isolate the capital of the nation, to make it depend

ent on the good faith and the good will of a corporation whose stock is on the markets of the world, and may be owned by aliens and even by alien enemies. It is no answer to this objection to say that the Government may take possession of the Pennsylvania Railroad in case of military necessity. It can not take possession of lines which have not been built, but which have been built, but for the operation bill. It can not take possession of the Norfolk and Western, which was prevented from entering this District by the influence of the Pennsylvania Company.

Mr. Chairman. I can not help believing that the strategic possibilities and dangers lurking in this extraordinary measure were wholly overlooked by the Senate; that the safety of this city, its security from external attack or internal disorders, was not at all considered by that body. The beautiful scheme of the parking commission, an absurdly and hideously beautiful scheme, of which Mr. Cassatt's plan for a right of way through the city, and a bridge over the Potomac, and a tunnel under the Capitol grounds, and finally for the old flag and an appropriation of \$6,000,000 was the sine qua non—I say this magnificent product of twentieth century witchcraft seems to have had undue weight in the minds of Senators. The clerk of the Senate committee which reported this bill was also the clerk of the parking commission. The chairman of that committee was the chairman of the parking commission. Mr. Cassatt, of the Pennsylvania Railroad, entertained those gentlemen at Frankfort-on-the-Main, showed them a monumental railway station there, and did many other wonderful things which only a wizard like Mr. Cassatt could do toward perfecting this most heinously gorgeous scheme.

This accounts for the hole on the north and the hole on the south, which mark the beginning and the end of Mr. Cassatt's route under the Capitol, as seen in the design of the New Washington, on exhibition in the Library of Congress. The trail of the serpent is under us all. Cassatt's snake hole is at the very bottom of all this legislation, for this bill is the first step toward carrying out that scheme. Without this bill, we have been told, the whole design would fail and a two-hundred-million-dollar gem of a job be frustrated, while Cassatt's hole under the Capitol, like Semmies's hole in the sky, would become a mere myth. But, Mr. Chairman, a "monumental railroad station" at the expense of the safety of this capital city and the Government of the United States would be a monumental absurdity, I had almost said a monumental crime.

(3) A third and the greatest objection to this bill is that it is unconstitutional, and that the attempt to carry it into execution would bring on litigation and probably violent resistance. It is the effect and not the pretense, as I have said, which is the test of legislation; and according to that maxim this bill is a license in mortmain, notwithstanding the clause ostensibly reserving to Congress the right to amend or repeal it. It is virtually and practically irrevocable, in spite of that clause. It is in the nature of a contract, and whenever the grantees have performed the conditions of the grant they will have acquired vested rights which Congress will never disturb, even if it has the power to do so. In fact, the bill uses the term "vested right" in one place, and the whole bill therefore involves the principle that Congress can grant "vested rights" in land, or rights which will "vest" and become perpetual on the happening of some future event.

If that is true, the reservation of the right to repeal is a false pretense. Has Congress the constitutional power to confer upon any corporation the right to hold land in mortmain? I deny that it has. The position of Jefferson on this point is well known and has never been successfully controverted. Jefferson says:

"Though the Constitution controls the law of mortmain so far as to allow Congress itself to hold land for certain purposes, yet not so far as to permit them to communicate a similar right to other corporate bodies." (7 Jefferson's Works, p. 555.) No express power is given by the Constitution to create monopolies and perpetuities, or either. Where is the clause which implies such a power as that exercised by the Senate in passing this bill? Where, again, is the power implied for taxing me for the benefit of a corporation, or of giving away public property to a private corporation? If you can tax me to build railroads for private companies you may as rightfully tax me to build churches for favored sects, or houses for favored banks, or yachts for favored millionaires. If you do these things without constitutional authority, what is the result? You will develop two hostile classes in this country—tyrants and slaves. You will exceed the commission from which alone you derive your authority, and you will become tyrants ipso facto. The men who submit to such legislation will be governed by laws made neither by themselves nor by any authority derived from them; and such men fall within the category of slaves.

I do not believe that the people of this country are yet prepared to submit patiently to the usurpation of power by their public servants. I do not believe that such legislation as this can be successfully imposed upon them. We may have outgrown the Constitution, but we have not yet outgrown the keen sense of wrong, injustice, and outrage which characterized our fathers in their opposition to British oppressions. We have not so far lost our reason as to think only of military parades on ceremonial occasions when we are threatened with legislation destructive of our means of defense, our means of self-preservation; nor so far as to think only of baubles when great monopolies are to be established empowered to hold lands in mortmain and to hold franchises indefinitely. Mr. Chairman, I trust that this bill may never become a law. I trust that the legislation of last year, to which it is supplementary, may be repealed, and that Congress will deal justly with us and fairly with the country.

STRONG RESOLUTIONS—ACTION TAKEN BY THE EAST END SUBURBAN CITIZENS' ASSOCIATION ON THE DEPOT QUESTION.

The following resolutions were passed by the East End Suburban Citizens' Association at a meeting of the association held on the 7th of February, 1902:

"Resolved by the East End Suburban Citizens' Association, That this association is unalterably opposed to the plan of the Pennsylvania Railroad Company to construct the proposed Union Station and viaduct in northeast Washington.

"Resolved, That it is our belief that such a station would operate to prevent the growth and proper expansion of the northeast section.

"Resolved further, That it would be a gigantic impediment to the

proper intercourse that ought always to obtain between the two great residence sections of the city.

"Resolved, That we earnestly invite the cooperation of every property owner and resident of northeast Washington in an effort to defeat the proposed legislation.

"Resolved, That it is the unanimous opinion of the East End Suburban Citizens' Association that the said depot be constructed in South Washington, which already contains the entire shipping industry of the District of Columbia, and where six steam roads center."

STATEMENT OF MR. THOMAS W. SMITH, PRESIDENT OF THE WASHINGTON BOARD OF TRADE.

Mr. SMITH. Mr. Chairman; I will not take much time. I simply want to make a statement of the position of the Washington Board of Trade as taken since its organization in 1889. The president of the Washington Board of Trade submits the following respecting steam railroads in the District of Columbia:

The Board of Trade has been active and consistent in the position it has taken respecting grade crossings since its organization in 1889, and President M. M. Parker, in his address to the board in November, 1900, said, in part, there was "strong opposition to the legalizing of surplus tracks in south Washington, and opposition has been strong against giving an unlimited power of condemnation, and a general desire expressed similar to that which prevails in most of the large cities of the Republic, for relief, as far as possible, from surface tracks and grade crossings."

President Parker, in his annual address of December, 1891, says as follows:

"Nothing has been accomplished during the year in the removal of steam railroads, grade crossings, or in improvements in railroad terminals. Washington very much needs changes for the better under both these heads, and it is hoped that Congress, now assembled, will take the action necessary to accomplish these improvements."

The chairman of the committee on railroads, Mr. B. H. Warner, on January 10, 1894, made the following report before the Board of Trade:

"It was hoped that some provision would have been made for the abolition of grade crossings, but they still exist, and Congress has failed to provide for an entrance for the Baltimore and Ohio tracks in the city by means of an elevated viaduct, so as to give the company an opportunity to build a new and elegant station, which has been promised."

And so on down, year after year, we find the Washington Board of Trade consistently pressing upon Congress and the Commissioners the change from surface to grade crossings. On November 13, 1899, the chairman of the committee on railroads, Mr. Frank Hume, reports to the board as follows:

"The committee on railroads regrets that it is unable to report any material progress since its last report. The grade-crossing situation is in practically the same situation as at this time last year."

"It has long been understood that the original plans agreed upon provide for a viaduct for the Baltimore and Ohio railroad, which does

not materially interfere with the present street grades, and would involve only a small expense to the District, and for a combination of elevated and depressed tracks for the Baltimore and Potomac railroad, in connection with which the present Long Bridge is to be removed and adequate accommodations provided for railroad and other purposes. The Baltimore and Potomac bill also contemplates, as has been announced, considerable additional use of public lands.

"The finances of the District will certainly not permit of the appropriation of any considerable portion of its revenues to effect these improvements, and if it can be arranged that the city's share of the cost is canceled by the additional privileges granted the roads the situation will be much simplified.

"We believe we voice the sentiment of the people of Washington in saying that we desire that the fullest possible facilities for transacting their business be granted the railroads, subject only to the proper conservation of the public interests, and that Washington would gladly welcome other roads into its limits."

The following year Mr. Frank Hume, chairman of the railroad committee, reported on the railroad situation in part as follows:

"The Senate committee reported the bills as recommended by the Commissioners, and they were passed by the Senate, and after introduction in the House of Representatives were referred to the District Committee of that body, and will be considered at the approaching session.

"It is the belief of your committee that the practically unanimous sentiment of the community is that the grade-crossing evil should be done away with without any further delay, and that proper facilities should be provided for the growing transportation interests of Washington.

"The committee is of the opinion that the bills passed by the Senate meet the engineering difficulties admirably, but it is firmly convinced that the clauses in the two bills relating to the division of the expense involved are inequitable, both to the Federal Government and to the District of Columbia, and not in accordance with the usual practice in other localities.

"The accepted custom we think may be fairly stated as follows: The railroad pays all expenses involved in the work within its right of way; and the municipal or State authorities pay the expense involved in changes outside of the right of way.

"With such an adjustment we feel that Washington would be fully satisfied. The B. & P. bill, however, provides for a large grant of land, and the B. & O. bill for a grant of \$1,500,000, as contributions toward the expense of the work within the right of way of the railroads.

"The view of this committee still is that this is unjust to the community."

His report was followed by the report of the president of the board of trade, John Joy Edson, made at its annual meeting November 12, 1900, as follows:

"BALTIMORE AND OHIO VIADUCT.

"The bill introduced by the Baltimore and Ohio Railroad provides for a viaduct within the city limits, terminating at North Capitol and

C streets, one-half of the expense of \$3,000,000 to be paid by the District appropriations. The railroad committee made a report on both bills at a meeting of the board of trade, in which it recommended these engineering plans for each road as being entirely acceptable and a complete improvement in railroad conditions within the city limits as to grade crossings and terminal facilities. The board unanimously approved these recommendations, though in taking this action it did not depart from its record as being opposed to the occupancy of public parks for railroad purposes.

"In respect to the Baltimore and Ohio improvement, the board also declined to indorse the proposition that half the expense should be borne by municipal appropriation. In reference to part of this expense being borne by the District, I quote from the report made in 1899 by my predecessor, President Noyes:

"If any large sum of money is to be exacted from the District for these improvements, this decision will mean the delay or defeat of projects of the first importance both to the railroads and to the community. Especially since the District's so-called surplus has been dissipated at 50 cents on the dollar on suburban street extensions in violation of the organic act, the capital is in no financial condition to enter upon a large expenditure of this sort, its entire revenue being needed to meet urgent current demands."

The following year (1901), on November 11, the committee on railroads reports progress, bills pending in Congress having been passed, and approved by the President February 12, 1901, authorizing the Baltimore and Potomac Railroad Company and the Baltimore and Ohio Railroad Company to eliminate grade crossings and to build terminal structures, granting public land to the Baltimore and Potomac Railroad Company and granting to the Baltimore and Ohio Railroad Company \$1,500,000 toward the expenses of the improvements required in that bill. His report concludes as follows:

"Your committee desires to congratulate the board of trade upon what seems to promise in the near future the successful termination of the board's long and earnest struggle in favor of the union station for all steam railroads entering the city, for the elimination of all grade crossings in the city, for the removal of all railway structures from the Mall and from Maryland avenue, and also for the securing of adequate terminal facilities for the accommodation of the growing business of the District of Columbia."

The following was adopted at a meeting of the Washington Board of Trade held March 2, 1900 (amendment to sec. 13):

"Inasmuch as the improvements provided for in the railroad bill and in this report are properly the work of the railroad, we are opposed to the appropriation of any public funds except to pay the expenses of bridge approaches and changes of grade. We regard the company's demand for \$1,500,000 as unreasonable, and we recommend that Congress be urged to ignore that request for a gratuity."

Mr. COWHERD. I understand you have consistently opposed the taking of large amounts of public property.

Mr. SMITH. Yes, sir.

The CHAIRMAN. I understand from your statement that the board of trade is opposed to the present bill.

Mr. SMITH. It is not opposed to the elimination of grade crossings; it is not opposed to a station on Massachusetts avenue; but it is not in

favor of paying the railroad companies large sums of money for doing that which they ought to do without any money.

Mr. MEYER. You consider the amount in this bill as an excess of what it should be?

Mr. SMITH. Yes, sir.

Mr. MORRELL. Did the board of trade approve of the legislation that was passed last year?

Mr. SMITH. Yes, sir; except—

Mr. MORRELL. And of the amounts that were contributed then?

Mr. SMITH. No, sir; they were not in favor of that.

Mr. COWHERD. They likewise disapproved of the taking of the Mall?

Mr. SMITH. Yes, sir; or allowing the Pennsylvania Railroad a sum of money in lieu of a portion of the Mall which they were to relinquish.

Mr. COWHERD. Now, they are only opposed to the granting to the railroads this sum of money?

Mr. SMITH. Yes, sir.

Mr. COWHERD. And all other features of the bill—

Mr. SMITH. They are in favor of; yes, sir.

Mr. JENKINS. According to your statement you are in favor of some of the features?

Mr. SMITH. Yes, sir.

Mr. JENKINS. You are in favor of the principle but not the amount?

Mr. SMITH. Yes, sir.

Mr. MORRELL. I understood you to say that the Government ought not to pay a cent.

Mr. SMITH. No, sir; I beg your pardon.

Mr. COWHERD. He said they should pay nothing except for damages to property and for purchase of streets.

The CHAIRMAN. As I understand, you are in favor of the District paying all the damages brought about by this construction?

Mr. SMITH. Yes, sir.

The CHAIRMAN. And damages to property.

Mr. SMITH. Yes, sir; and for the approach to bridges that the company will build over its roadway.

STATEMENT OF MR. IRWIN B. LINTON.

Mr. LINTON. Mr. Chairman, I concur with Mr. Henderson, who spoke in favor of the Citizens' Association. No doubt we should have the relief asked for if a bill should go through, but as a citizen of this beautiful city I have long thought that this bill would be an injury rather than a benefit in its present shape.

I certainly would object to the tunneling of Capitol hill.

As a citizen, I object to this enormous sum to be paid to the railroad in order to have the improvements desired, and it seems to me that there is a solution. Probably it is not new to you; in fact, I believe it is the first proposition that was made to the Baltimore and Potomac Railroad Company: That the union station be placed at the intersection of Maryland avenue and Virginia avenue SW.

The railroad at present occupies those streets. As contemplated by this bill I think they are to remain there, at least a portion of the way. It seems to me that a solution of the whole matter might be made by this proposition set out in a letter which appeared in the Star of Fri-

day last, over the nom de plume of "Civil Engineer," which I approve of, but which I did not write. I have several copies, which were furnished me by Mr. Lyon, of the Star. I will ask permission to have this printed in the report, if you will allow me, only I want to make one correction.

This proposes that in the event the Chesapeake and Ohio Canal is abandoned, and the Baltimore and Ohio should secure that right of way, that instead of coming down from Georgetown and connecting at Virginia avenue, that they build a bridge at the Three Sisters across the Potomac River to Virginia and reach the city by the way of Long Bridge, thereby avoiding any interruption of the parking plan which has been provided by the Parking Commission. So the Baltimore and Ohio would come down the Chesapeake and Ohio Canal bed, which seems likely to be one of the events of the future, and thereby shortening their route very much to the city.

The CHAIRMAN. Do you propose that they cross the river at the Three Sisters and run down the other side and then come back into the city by means of the Long Bridge?

Mr. LINTON. Yes, sir.

The CHAIRMAN. You say that would shorten the route?

Mr. LINTON. No, sir; I say the route would be shortened by taking the bed of the Chesapeake and Ohio Canal. Of course crossing over into Virginia and coming back by way of the Long Bridge would increase the length of the route a little into the city.

Mr. MORRELL. How would they come from the north?

Mr. LINTON. From the north at Hyattsville over the Pennsylvania tracks, as shown by this map [indicating]. I would not attempt for a moment to propose that this load be placed on south Washington if it was not already there, but I do not see why one-half of our city should be devoted to railroad purposes when one-fourth of it is already occupied and will be sufficient for all the railroad demands of the future. In other words, I would avoid the appropriation of three or four million dollars out of our treasury; I would avoid the tunneling of this hill and confine railroads to the level area that they now occupy, laying the track which we agree upon. We want a union station, and we want the grade crossings eliminated: but it seems to me that we would save an immense amount of money by this plan. We could have this union station only about one minute farther than it is now from Pennsylvania avenue, and we would clear the tracks from the Mall, and we would relieve the city of an extra station that we now have.

Another point. Georgetown could be accommodated much better than under this new bill. There are large concerns in Georgetown which object, I understand, to this proposed legislation, for the reason that their hauls to and from the proposed station will be much longer than from either of the present stations. This proposed by me would obviate that; their connection would be about one-half the distance of what it would be under the proposed scheme.

It seems to me, with these advantages in its favor, that this proposition is worthy of consideration. I trust that you gentlemen will consider it, and thereby we will save this large expenditure and we will also save the necessity of damaging the approaches to our beautiful Capitol hill.

STATEMENT OF DR. MORGAN.

The CHAIRMAN. Please state whom you represent.

Dr. MORGAN. I represent Mr. Harvey, with whom a great many of you are acquainted, and Dr. George, the chiropodist, who is at the other end of the line, and I speak for myself, a physician. We are all in favor, those already mentioned, of the Water-street route, taking the railroad off Maryland avenue and running it by way of Water street through K street to the navy-yard tunnel and then out.

I think, in looking over the capital here, you will all conclude that the original idea of General Washington and Jefferson and L'Enfant was never that Maryland avenue and Virginia avenue should be occupied by a railroad, freight depots, viaducts, and elevated railroads. This most practical and the cheapest plan to the District and to the railroads is that of the Water-street route by way of K street.

That is all I have to say.

STATEMENT OF MR. M. D. ROSENBERG.

Mr. ROSENBERG. Mr. Chairman, I appear here representing a large number of property owners in south Washington, and my presence here this morning has been anticipated by a petition which was just handed to the chairman of your committee, in which they protest against the stand taken by the members of the South Washington Citizens' Association.

I wish to say, with all due regard and the highest respect for those gentlemen, a great many of whom I know, that it is not the sentiment of the citizens of south Washington that the route as contemplated, either under the act of 1901 or the act known as the union station bill, should be changed from Virginia and Maryland avenues and be carried down Water street and out K street.

Now, personally and legally I represent a great interest, involving large sums of money, but if the committee is going to consider that proposition I am satisfied I can get a petition from residents of south Washington far outnumbering, possibly, the members of the Southwest Citizens' Association. A large number of property owners would be damaged by the route indicated by the spokesman of that association, one of whom has spoken (Mr. Weller), stating that he is a property owner. He is only one out of a great number.

It is useless for me to say to this committee, and echoing the words of Mr. Warner, who spoke here this morning, that we must, in a great undertaking of this kind, do the greatest good to the greatest number, and unless some of us or all of us are willing to surrender and abandon our personal interests the capital city will not make the advancement which it should make under this bill as contemplated.

Now, I wish to say another thing, and to go on record in saying it, and that is in representing my clients I advocate the passage of the bill of February 12, 1901, and I maintain that we are not at all disloyal to the interests of the District in advocating that bill. It is true that a magnificent, a monumental station, on Massachusetts avenue would be a great adornment to the capital city, we can not deny that; but there are other points which offset architectural beauty. I maintain that a union station does not adequately conserve the benefits

and rights of the traveling public. Recently I had occasion to be in the city of Boston and to go through their south terminal. They have twenty-some tracks. I had difficulty in locating the ticket office; I had difficulty in locating the office where Pullman tickets were purchased; I had difficulty in locating the gate through which to reach my train. Why, gentlemen of the committee, it requires a guide to show a man around a place of that kind.

Now, if we have one station on the Mall, as contemplated by the act of 1901, and another station situated about where the Baltimore and Ohio is located to-day, if they are arranged and the architectural beauty which we desire is obtained, I submit they will make for the capital city two monuments which will be an ornament to the city instead of one.

Referring to the act of 1901, with reference to the adorment of these stations, it says that the "station building to be erected on the Mall shall cost not less than \$1,500,000"—and I submit a very elegant station can be built for that—"inclusive of the car sheds, which shall be of ornamental or monumental character, and which shall be designed, so far as practicable, so as not to impair the appearance of the Mall; the plans thereof to be approved by the Secretary of War: *Provided*, That upon the land hereby granted on the Mall to the use of the Baltimore and Potomac Railroad Company no freight depot, warehouse, or other structure, except such as is necessary to its use as the site for a passenger station, shall be erected; and that no tracks except such as are necessary to the service of such passenger station shall be laid or operated on said land."

There is no intelligent man who can tell me that a magnificent monumental station to cost \$1,500,000 is going to disfigure that Mall.

Mr. COWHERD. An intelligent man can tell you that, although you might not believe it.

Mr. ROSENBERG. If I am stepping on the shoes of any member of the committee—

The CHAIRMAN. On somebody's toes, that is all.

Mr. ROSENBERG. I respectfully submit I am echoing the sentiment of the people I represent.

Mr. COWHERD. I do not believe you are echoing the sentiments of the people of the District.

Mr. ROSENBERG. Some of them.

With reference to the running of tracts through Maryland and Virginia avenues in preference to the route suggested, I will say those tracks have been there for many years. Conditions have shaped themselves to conform to the idea that those tracks are there and will remain there. The citizens along that route are willing that they should remain there. Why take them away and put them somewhere else?

Another point in favor of this bill (the bill of 1901) is that the bill contains many facts and conditions which were finally hardened into law more than one year ago. A number of people in South Washington have sold their property, and a number of them have arranged their affairs with the view to eventually selling, under this bill, and so if it meets the views of the majority of the citizens and is going to be a benefit to the city, as this act would be, I respectfully submit that the act of 1901 be enacted into law.

Mr. JOHNSON. Whom does the gentleman represent?

Mr. ROSENBERG. I stated that I represent a large number of property owners in South Washington. If you desire their names I will send them to you.

Mr. JOHNSON. Do you know of any residents of Maryland and Virginia avenues who want the railroad to remain there?

Mr. ROSENBERG. Yes, sir.

STATEMENT OF MR. HERBERT GIESY.

Mr. GIESY. I wish first to call attention to a very important omission in this bill, which I think is of great interest to a great many.

The CHAIRMAN. State what interest you represent.

Mr. GIESY. I represent a few gentlemen who are members of the railroad committee of the Board of Trade, and others interested with them, whose report on the present bill has not yet been acted upon by the Board of Trade, and this morning I presume I represent those gentlemen.

The CHAIRMAN. Has the board strangled the report or just deferred it?

Mr. GIESY. The committee made a report on the bill; the meeting was held last Tuesday night. The report was adopted by a vote of 14 to 12, when Mr. Weller made a point of no quorum, and as the Board of Trade requires the presence of thirty members to constitute a quorum the report of the committee is in the air.

Mr. WADSWORTH. Did they count a quorum?

Mr. GIESY. No, sir. They did not lock the doors as you do in Congress, and so they did not have a quorum.

Mr. PEARRE. You represent another proposition too?

Mr. GIESY. Yes, sir; but I want to address myself to the bill a moment.

Mr. PEARRE. You represent the idea of municipal ownership?

Mr. GIESY. Yes.

In the act of 1901 this provision occurs:

"And provided further, That no portion of any street shall be closed under authority of this act until said railroad company shall have secured control of the property abutting on said portion to be closed, it being the intent hereof that no property owner shall be deprived of egress from or ingress to his property."

The CHAIRMAN. I beg your pardon; I think you will find it if you read the bill carefully.

Mr. GIESY. I have read it carefully and I could not find it. That cuts off the abutting property on these streets that are closed by this bill and not by the last bill.

The CHAIRMAN. If that is not in the bill it is a very good point indeed.

Mr. GIESY. It is not in this bill; I have looked carefully for it.

The next point in this bill is that in the report of the Commissioners of March 17, filed by Senator McMillan, it is stated that the cost to the District would be \$1,635,000, and that is made up by \$750,000 to the Baltimore and Ohio, \$800,000 for one-half the cost of the plaza, and one-half of the cost of the grades in South Washington—\$170,000. In this bill it is nowhere provided that the United States shall pay one-half the cost of the plaza. The only provision of that kind is in relation to damages, which is that the United States shall reimburse the

District of Columbia for one-half the damages for laying off the plaza, but the provision in regard to the plaza particularly says the District Commissioners shall do this and shall do that (p. 13 of the bill) (Reading:—)

“The Commissioners of the District of Columbia are hereby authorized and directed,” and so forth and so on. So that the \$800,000 contemplated there that the District shall pay for the plaza is really \$1,300,000, for this reason: The clause in relation to damages following this provision, that the United States shall reimburse the District one-half and the District Commissioners assess the damages \$600,000. So what the United States would reimburse the District would be \$300,000.

There is one other point I wish to call your attention to. You have heard about the Patterson amendment. While the Patterson amendment has been passed in the Senate, still this clause occurs three or four times in this bill (under heading “Union station,” sec. 2):

“The Baltimore and Ohio Railroad Company and the Baltimore and Potomac Railroad Company, and the passenger traffic of such other companies as may be moved over the railroads of either of said two companies, with its consent,” etc. “With its consent” refers to the consent of the Pennsylvania Railroad. That occurs at least three times in the bill. So while you have the Patterson amendment you have not stricken out the provision of law that no railroad can come into this District without the consent of the Pennsylvania Railroad.

The CHAIRMAN. Where else besides there does that occur?

Mr. GIESY. If you will not take it out of my time I think I can find it.

The CHAIRMAN. Your time has already expired, so it will not come out of your time. [Laughter.]

Mr. GIESY. The cost of this improvement will be at least \$7,000,000, and it can be demonstrated that it will cost more.

Mr. COWHERD. How do you make that?

Mr. FINN. Can you itemize that?

Mr. GIESY. On page 6 the cost of this is given at \$4,770,000. That is made up of \$1,500,000 to the Baltimore and Ohio, \$1,500,000 to the Baltimore and Potomac Railroad, \$1,600,000 for the plaza, and \$170,000 for damages to property and changes of grades in South Washington. Now, in an additional report, on page 7, that is here, it is stated—and, by the way, a supplemental report is the first one made, the one printed by the Senate in the second report—in the supplemental report it is stated that the amount of real estate, the amount of land inclosed, is \$1,454,525. By this act, paragraph 12, \$568,000 is appropriated to construct a highway bridge over the Potomac River. Total, \$6,792,000.

Mr. SIMS. You did not mention the tunnel.

Mr. GIESY. Four million seven hundred and seventy thousand dollars includes that. The total is \$6,792,000 in round figures. That is very nearly \$7,000,000, but I think you can see it will not cover it. The War Department has reported, in Executive Document No. 138, that the bridge can not be built for \$568,000; that it will cost \$996,000, an addition of \$432,000.

Then, there is no estimate of the value of the right of way through the Reform School. That is Government property. What that is worth nowhere appears.

The CHAIRMAN. That is to be paid for as the Attorney-General may see fit.

Mr. GIESY. If the Attorney-General sees fit to give it to them, then there is no adjustment.

Mr. GIESY. Now, I claim unless this clause which I first called attention to is put in this bill, the damage to property abutting on streets closed by this bill and not by other bills will be several hundred thousand dollars, and if the figures are no more accurate in regard to the rest of the improvements than they are in regard to the highway bridge, it is easy to see that the expense to the Government will be about \$8,000,000.

We do not propose to pass this bill without substituting something, and the gentlemen I represent desire very much to be heard on the principle of municipal ownership of this matter; not the Populistic side, not the theory of Henry George, but to do what has been done in the city of Boston in the building of subways, and prove to you that there is a business proposition which can be applied here which would save the United States and the District of Columbia many millions of dollars and would get for us the things we desire—the abolition of grade crossings and the establishment of a union depot—and I hope at some time you will give the gentlemen who have looked into that subject an opportunity to show you what they know about it.

The article from the Star referred to is as follows:

A UNION STATION SUGGESTION.

To the Editor of the Evening Star:

The union station should not be located on Massachusetts avenue, because it costs too much to get the railroads to it either from the north or south, because it costs too much to prepare the site to conform to the railroad plans, and because it destroys so much value in Eckington, along Delaware avenue, and in Garfield Park, in south Washington. The alternative site, to which attention is called, is between D and E streets and from Sixth to Tenth streets southwest. To acquire this property would cost less than the ground required for the Massachusetts avenue site. The holdings of the railroad companies on or near that site would be greatly enhanced in value if the railroads would quit that part of the city entirely, so that the abandonment of their plans for that location would yield them a handsome profit.

The space between Virginia and Maryland avenues and D street should be made into a more imposing plaza than that planned by the architect for Massachusetts avenue, and at far less cost. On either side of Eighth street from D to E streets is a block of ground measuring about 200 feet by 500 feet, and these blocks would be ample for all the requirements of the station. Eighth street should be left open either as a public or private way, and the D street façade could be designed as a grand triumphal arch spanning Eighth street. The view of it from the Capitol would be superb.

Tracks through the station site would be sunk to about 15 feet above sea level, and laid on east and west lines. The main floor of the station would be about 20 feet above the track level. No part of the site would have to be filled more than 10 feet to conform to the elevations named. Easy stairways and a liberal supply of elevators would give easy access to or from any track without crossing any other track at grade. Twenty or more tracks, 1,600 feet long, with the necessary platform, could be arranged for on this site. Washington would never have a crowd that would overtax the capacity of such a

station. Railroad men, engineers, and other practical men will be quick to see the advantages of a through station over one with stub tracks, or with tracks at different levels. On the east the train sheds should extend from Seventh to Sixth streets, and on the west from Ninth to Tenth streets. Sixth, Seventh, Eighth, Ninth, Tenth, and Eleventh streets should be slightly elevated and carried over the tracks.

It would prove to be most convenient for the railroads and the shipping public to have the freight yard and station between E and F streets, just south of the union station.

The Washington branch of the Baltimore and Ohio could leave its present line just south of Hyattsville, and with an almost straight track lead to the Pennsylvania tracks at the Pennsylvania avenue bridge. Then from the eastern end of K street a new tunnel should be built westward to Seventh street on K street with four tracks. To do this it will be necessary to widen K street about 20 feet on the south side. The tunnel would be built in open excavation and covered with steel beams incased in cement. A complete system of ventilation for the tunnel, the train sheds, and the ways under the station and streets, operated by electricity, would free all such spaces from smoke, steam, and gas.

The Anacostia Flats north of the Pennsylvania avenue bridge could be gotten cheaply and used as a freight and switching yard, so that with the facilities now in use at Benning and in South Washington the terminal arrangements east of the union station would be all that could be desired.

It will only be a few years before the Chesapeake and Ohio Canal will be abandoned and its bed and banks used for railroad purposes. If so, the Baltimore and Ohio can arrange to take that route from Harpers Ferry to Rock Creek, and thence along Virginia avenue until connection is made at the foot of Fourteenth street with the tracks leading west from the union station to the new Long Bridge. At the connecting point a Y should be provided, so that the way to or from the South can be used either to or from the east or the west. At the south end of the Long Bridge there is abundant room to provide whatever terminal facilities are desired near the western approach to the union station.

If this site be chosen the expensive tunnel under Capitol Hill will be avoided and the Capitol and Library saved from possible injury. Garfield Park will remain as free from railroad tracks as it is now. The park at the intersection of Virginia and Maryland avenues will be restored to the people, and have a beautiful plaza and station fronting it. The freight station and yards south of the union station will make it unnecessary to retain a single existing track in the northeast or in Eckington. Rejoicing and satisfaction will follow this solution of the railroad problem. The Baltimore and Ohio will secure a shorter line to the West, with easier grades and curves, and all other roads will be as well or better provided for than by any other plan proposed. Slight changes in the street-railroad tracks will make this South Washington station more accessible than the one on Massachusetts avenue could be made. The die is not yet cast; let it be cast in favor of South Washington.

CIVIL ENGINEER.

The CHAIRMAN. The hour of 12 o'clock having arrived, the committee stands adjourned.

APPENDIX.

Comparison of public space now occupied, to be occupied under act of February 12, 1901, and to be occupied under proposed legislation by the Baltimore and Ohio Railroad Company.

[Figures furnished by Capt. H. C. Newcomer, Acting Engineer Commissioner of the District of Columbia.]

PRESENT OCCUPATION.

Metropolitan Branch, First street, Delaware avenue to Florida avenue, 118,190 square feet, at \$1.50	\$177, 285
Washington Branch, east of Delaware avenue, 68,900 square feet, at \$1.50	103, 350
North Capitol street crossing, 14,800 square feet, at \$2	29, 600
Delaware avenue, between D and H streets, 145,950 square feet, at \$2	291, 900

247,840 □
602,135

Of this there will be restored to public use:

Metropolitan Branch, First street, Delaware avenue to Florida avenue, 106,490 square feet, at \$1.50	159, 735
Washington Branch, east of Delaware avenue, 68,000 square feet, at \$1.50	103, 350
North Capitol street crossing, 14,800 square feet, at \$2	29, 600
Trinidad right of way dedicated to District, 12.1 acres, at \$3,000	36, 300
Total	328, 985

OCCUPATION UNDER ACT OF FEBRUARY 12, 1901.

Within terminal structure, i. e., south of H street, 464,441 square feet, at \$2	\$928, 882
Delaware avenue, H to M, 144,355 square feet, at \$2	288, 710
Delaware avenue, M to Florida avenue, 125,280 square feet, at \$1.25	156, 600
N street, Second to Third, 13,080 square feet, at \$1.25	16, 350
Brentwood road and Third street south of New York avenue, 72,360 square feet, at 75 cents	54, 270
Hancock street, 28,800, at \$2	57, 600
Eckington streets north of New York avenue, including Brentwood road, 516,407 square feet, at 60 cents	309,844
Total	1,812, 256
Deduct value of present occupation	602,135
Net value of grant of public space under act of February 12, 1901.	1,210, 121

OCCUPATION UNDER PENDING LEGISLATION.

[These figures refer to Massachusetts-avenue site for location of union station.]

For the common use of the Baltimore and Ohio
and Baltimore and Potomac railroads:

Part of old terminal, 464,441—301,287 square feet	163, 154
Additional terminal area less viaduct north of H street	423, 610

586,764 square feet, at \$2 \$1,173,528
Delaware avenue, H to M (80 feet wide), 144,355 square feet, at \$2.. 288, 710

For the common use of the Baltimore and Ohio and Baltimore and Potomac railroads—Continued.

Delaware avenue, M to Florida avenue (80 feet wide), 62,640 square feet, at \$1.25	\$78, 300
Brentwood road and Third street south of New York avenue, 72,360 square feet, at 75 cents	54, 270
Hancock street, 28,800 square feet, at \$2	57, 600
	<i>824.42.21</i>
One-half chargeable to Baltimore and Potomac Railroad	1, 652, 408
One-half chargeable to Baltimore and Ohio Railroad	826, 204
	826, 204

For use of Baltimore and Ohio Railroad Company:

Streets in Eckington, including Brentwood road—

	Square feet.
Under act of February 12, 1901	516, 407
Under pending bill, additional	163, 025
	<hr/>

Patterson street, 28,100 square feet, at \$1.25	679, 432, at 60 cents..	\$407, 659
West 40 feet of Delaware avenue, L to M, 26,910 square feet, at \$1.75	35, 125	
Second street, N to Delaware avenue, 42,840 square feet, at \$1.25	47, 092	
Delaware avenue, M to Florida avenue (80 feet wide), 62,640 square feet, at \$1.25	53, 550	
N street, Second to Third, 13,080 square feet, at \$1.25	78, 300	
	16, 350	

Total value of grant for exclusive use of Baltimore and Ohio	<i>853,067</i>	638, 076
Add one-half value of occupation in common with Baltimore and Potomac Railroad	826, 204	
	<hr/>	
Total	1, 464, 280	
Deduct present occupation	602, 135	
	<hr/>	
Net value of grant to Baltimore and Ohio under pending bill	862, 145	

Comparison of public space now occupied, to be occupied under the act of February 12, 1901, and to be occupied under proposed legislation by the Baltimore and Potomac Railroad Company.

OCCUPATION UNDER ACT OF FEBRUARY 12, 1901.

E street SW., Twelfth to Water, 71,000 square feet, at 50 cents	\$35, 500
Thirteen-and-a-half street SW., D to Water, 25,640 square feet, at 50 cents	12, 820
Thirteenth street SW., D to Water, 52,360 square feet, at 50 cents	26, 180
Maryland avenue SW., Twelfth to Fourteenth, 162,980 square feet, at 75 cents	122, 235
Maryland avenue SW., Ninth to Twelfth, 79,585 square feet, at \$1	79, 585
Maryland avenue SW., Sixth to Seventh, 12,000 square feet, at \$1.50	18, 000
Reservation 113, 34,140 square feet, at \$1.50	51, 210
C street SW., Sixth to Seventh, 38,000 square feet, at \$1.25	47, 500
D street SW., Four-and-a-half to Virginia avenue, 22,000 square feet, at 75 cents	16, 500
Virginia avenue SW., north side, Four-and-a-half to Seventh, 66,000 square feet, at \$1	66, 000
Virginia avenue SW., south side, Second to Four-and-a-half, 55,000 square feet, at \$1	55, 000
Virginia avenue SW., Canal to Seventh, 191,790 square feet, at \$1	191, 790
Garfield Park, 270,000 square feet, at 60 cents	162, 000
H street SE., South Capitol to Canal, 40,000 square feet, at 35 cents	14, 000
One-half street SE., I to Canal, 24,608 square feet, at 50 cents	12, 304
First street SE., I to Canal, 11,220 square feet, at 50 cents	5, 610
Canal street SE., 268,056 square feet, at 50 cents	134, 028
Reservation 4 (the Mall), 514,233 square feet, at \$2.50	1, 285, 582
	<i>1,138,111</i>
Total	2, 335, 844
Credit D street SW., Twelfth to Fourteenth (30 feet wide), 22,280 square feet, at 60 cents	13, 368
	<hr/>
Total value of public space occupied under act	2, 322, 476

UNION RAILROAD STATION.

PRESENT OCCUPATION.

Water street SW., E to Fourteenth, 3,200 square feet, at 50 cents	\$1,600
Thirteen-and-a-half street SW., D to Water, 3,640 square feet, at 50 cents	1,820
Thirteenth street SW., D to Water, 19,360 square feet, at 50 cents	9,680
Maryland avenue SW., Twelfth to Fourteenth, 78,980 square feet, at 75 cents	59,235
Maryland avenue SW., Ninth to Twelfth, 79,585 square feet, at \$1	79,585
Maryland avenue SW., Sixth to Seventh, 8,200 square feet, at \$1.50	12,300
Reservation 113, 28,140 square feet, at \$1.50	42,210
Reservation 4 (the Mall), 129,000 square feet, at \$2.50	322,500
Sixth street west, from Virginia avenue northward, 47,000 square feet, at \$1.25	58,750
Virginia avenue SW., north side, Four-and-a-half to Seventh, 6,000 square feet, at \$1	6,000
Virginia avenue SW., Canal to Seventh, 201,790 square feet, at \$1	201,790
One-half street SE., I to Canal, 24,608 square feet, at 50 cents	12,304
First street SE., I to Canal, 11,220 square feet, at 50 cents	5,610
Canal street SE., 268,056 square feet, at 50 cents	134,028
K street SE., 49,000 square feet, at 50 cents	24,500
Total	151,719 ⁰¹ 971,912

Net value of grant of public space under act of February 12, 1901. 1,350,564

OCCUPATION UNDER PENDING LEGISLATION.

[These figures refer to location of union station on Massachusetts avenue site.]

Net value granted under act of February 12, 1901	\$1,350,564
Add one-half of common occupation under pending bill	826,204
Total	2,176,768
Deduct for space restored to public use:	
C street SW., Sixth to Seventh, 38,000 square feet, at \$1.25	\$47,500
Maryland avenue, Sixth to Seventh, 12,000 square feet, at \$1.50	18,000
Reservation 113, 3,400 square feet, at \$1.50	5,100
Reservation 4 (the Mall), 514,233 square feet, at \$2.50	1,285,582
	1,356,182

Net value of grant to Baltimore and Potomac under pending bill.. 820,586

NOTE.—Ivy street considered as offset by new street.

Summary of values of grant of public space under pending bill.

Baltimore and Ohio Railroad:

Increase in comparison with present occupation	\$862,145
Decrease in comparison with existing legislation	347,976
Baltimore and Potomac Railroad:	
Increase in comparison with present occupation	1,350,564
Decrease in comparison with existing legislation	529,978

Report of Secretary of War.

COMMITTEE ON THE DISTRICT OF COLUMBIA,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 23, 1902.

The SECRETARY OF WAR.

SIR: I have the honor to inclose herewith, for examination and report, Senate bill 4825, "to provide for a union railroad station in the District of Columbia, and for other purposes."

Very respectfully,

J. W. BABCOCK, Chairman.

[First indorsement.]

WAR DEPARTMENT,

May 27, 1902.

Respectfully returned to the chairman Committee on the District of Columbia, House of Representatives, inviting attention to the accompanying report of the Chief of Engineers, United States Army, of yesterday's date, in whose views the Department concurs.

The only matters in which the proposed new railway station appears to concern the War Department officially are the improvement to the public buildings and grounds involved in removing the present railroad from the Mall and securing sufficient space about and in front of the railway station to make practicable the massing and movement of military escorts upon occasions of ceremony, such as the funeral of the late President McKinley and the reception of Prince Henry of Prussia. In both of these respects the proposed change is very desirable.

E. ROOT, *Secretary of War.*

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,

Washington, May 26, 1902.

Hon. ELIHU ROOT,
Secretary of War.

SIR: I have the honor to return herewith letter dated the 23d instant from the chairman of the House Committee on the District of Columbia inclosing, for examination and report, Senate bill 4825, Fifty-seventh Congress, first session, "An act to provide for a union railroad station in the District of Columbia, and for other purposes."

The only interests peculiarly under the control of this Department that would be affected by the proposed legislation are such as concern the parks pertaining to the public buildings and grounds under the charge of the War Department and the system of water mains of the Washington Aqueduct and the water supply of the District of Columbia.

So far as the parks are concerned, no objection is seen to the passage of the proposed measure, but before favorable action is taken thereon adequate provision should be inserted for the protection of the water-supply mains and for the execution of the work under the supervision of the officer in charge of the Washington Aqueduct at all points where the interests of the aqueduct or any portion of its water mains are concerned.

A copy of the bill was referred to the officer in charge of public buildings and grounds, who states that he knows of no objection to the enactment of the legislation therein proposed.

It would seem that the subject-matter of this measure pertains more particularly to the government of the District of Columbia, and that the views of the Commissioners should be requested.

Very respectfully, your obedient servant,

G. L. GILLESPIE,
Brigadier-General, Chief of Engineers, U. S. Army.

Additional report of Col. Theodore A. Bingham.

OFFICE OF PUBLIC BUILDINGS AND GROUNDS,
Washington, June 16, 1902.

Hon. J. W. BABCOCK,

*Chairman Committee on the District of Columbia,
House of Representatives.*

DEAR SIR: I have the honor to return herewith Senate bill No. 4825, Fifty-seventh Congress, first session, also public act No. 49, approved February 12, 1901, which were referred to me with your letter of the 13th instant for report, and beg to report as follows:

The Baltimore and Potomac Railroad Company was given 31 acres 20,062 square feet of ground belonging to the United States Government by the act approved February 12, 1901. By the pending measure the company will get 16 acres 15,694 square feet, the approximate value of which is \$700,000.

The Baltimore and Ohio Railroad Company was given 1 acre, 23,873 square feet, by the act approved February 12, 1901. By the pending measure the Baltimore and Ohio will get the same area, the approximate value of which is \$80,000.

By act of Congress approved June 21, 1870 (Stat. L., vol. 16, p. 161), the Baltimore and Potomac Railroad was granted the use of Long Bridge, provided they maintained it in good condition for a railway and as a highway bridge also, and that the bridge should remain at all times a free bridge for public use for ordinary travel. To be relieved of the obligation of keeping open and maintaining a free highway bridge across the Potomac would, in my estimation, be worth the cost of a new highway bridge, which is \$586,000, and the annual cost of maintaining such a bridge, which would be \$10,000 per year, plus the interest on the cost of bridge, because there is but little doubt that the Baltimore and Potomac would have been compelled to rebuild the Long Bridge in a short time in any event, on account of the style of structure and the location of the bridge piers with reference to their obstruction to the free discharge of the Potomac River in the spring of the year.

Very respectfully,

THEO. A. BINGHAM,
Colonel, United States Army.

Senate report on S. 4825, "to provide for a union railroad station in the District of Columbia, and for other purposes," Fifty-seventh Congress, first session.

UNION RAILROAD STATION AT WASHINGTON, D. C.

APRIL 3, 1902.—Ordered to be printed.

Mr. McMILLAN, from the Committee on the District of Columbia, submitted the following

REPORT.

[To accompany S. 4825.]

The Committee on the District of Columbia, to whom was referred the bill (S. 4825) to provide for a union railroad station in the District of Columbia, and for other purposes, having considered the same, make a favorable report thereon.

The bill proposes that the Baltimore and Potomac Railroad Company shall remove its tracks from the Mall and shall unite with the Baltimore and Ohio Railroad Company in the construction of a union passenger station on the north side of Massachusetts avenue at its intersection with Delaware avenue.

The Baltimore and Potomac Railroad Company occupies a portion of the Mall by virtue of a grant made by the common council and the board of aldermen of the city of Washington, made on March 20, 1871, which grant was confirmed by the act of Congress entitled "An act to confirm the action of the board of aldermen and common council of the city of Washington, designating a depot site for the Baltimore and Potomac Railroad Company, and for other purposes," approved May 21, 1872, the bill having been passed by a two-thirds vote in each the Senate and the House of Representatives. A station site south of the Mall had been granted to the road, but the people living in the neighborhood strenuously objected to a location near the schools and churches, and leading merchants petitioned Congress for a site convenient to business on Pennsylvania avenue.

During the Fifty-sixth Congress legislation was enacted enlarging the occupation of the railroad in the Mall. This action was taken only after years of effort to obtain the withdrawal of the road from

public space, and because of the demand for the elimination of grade crossings, and increased facilities for handling the rapidly growing traffic. In the adjustment then made, the railroad received land in the Mall in lieu of the usual cash payment of one-half the cost of track elevation.

The proposition now is that the United States shall buy, at a fair valuation, this land on which the railroad has been paying taxes for thirty years, and that the railroad shall use the money so received as a portion of the expense of building a tunnel and making connections with the proposed union station.

This proposition does not come from the railroads. They are satisfied with their present situation. When the question of improving the District of Columbia was taken up, the removal of the railroad tracks from the Mall was considered absolutely essential. The Mall was laid out to form the great approach to the Capitol, and it is impossible to conceive any adequate treatment of the capital park system without freeing the Mall from the railroad tracks and station. When this view of the situation was placed before the president of the Pennsylvania Railroad, he replied, after very careful consideration, that while he did not desire any change, yet he realized that if Washington is to have the development of a capital city in the true sense of that word, the railroad must leave the Mall; and he was willing to accept any adjustment that would be fair to the stockholders whose interests he represented.

From the standpoint of economical railroad management, the proposed union station has little to recommend it. The terminal charges are increased from about 40 cents to about \$1.20 per passenger car, and there will be no corresponding increase in passengers. The Baltimore and Ohio Company, which does a comparatively small passenger business, claims that it would be much better off by keeping to the C street site provided for in existing legislation, especially as contemplated change compels that road to give up its present extensive and well-located freight yards, and purchase city blocks in Eckington.

Yet a station at C street would bring a great commercial structure in close proximity to the Capitol, the approaches would be narrow and indirect, and Massachusetts avenue would be permanently disfigured by being bridged by a train shed 800 feet in length. Those ugly features which lead to the removal of the railroad from the Mall would be repeated by the C street location.

Very careful figures have been made in regard to the height at which the station should stand above the present grade of Massachusetts avenue. The architect desired the lowest possible grade, but the Engineer Commissioner of the District has figured that the grade selected (+ 56) will result in the smallest amount of damages to property. At the same time the new grade will allow the grade of

North Capitol street to be raised and other like improvements to be made, and the location of the station as proposed will greatly increase property values in what has long been practically dead territory. The Massachusetts avenue site also benefits the Government Printing Office by removing the car shifting and the consequent dust and smoke.

The new station will be the finest structure of its kind in the world. Its length will be 760 feet, which is 8 feet 8 inches longer than the Capitol itself. It will be built of white marble, with the interior of marble and stone. The classical style of architecture will be used, and the building will be so located and designed that while distinctly subordinate to the Capitol it will take rank among the great public structures in Washington. The minimum cost of the station has been placed at \$4,000,000, but the total cost will be nearer \$5,000,000.

The station as planned is arranged for 29 tracks, with room for 7 additional tracks, thus providing for an indefinite future. The public convenience has been studied, with the result that persons arriving or departing will be accommodated without loss of time; and a private entrance is provided for use of the President of the United States and for ceremonial occasions. All street-car lines receive and discharge passengers in close proximity to the station, and ample accommodations are provided for bodies of troops and great delegations arriving or departing at inaugural times or when other large gatherings occur at the capital. In a word, every provision has been made for a great, dignified, convenient, accessible gateway to the capital of the nation.

At the same time the occupation of public space set apart by Washington to give dignity and beauty to the Capitol will be restored to public uses; and that great thoroughfare, Massachusetts avenue, which under present legislation would be disfigured by the construction of a railroad viaduct, will be left free and open. Every question relating to beauty, dignity, and convenience has received attention; and while the initial expense of a union station is large, at the same time the solution reached seems to the committee ideal in every respect.

It is proposed to pay to the Baltimore and Potomac Railroad Company \$1,500,000 for the ground in the Mall, this amount to be expended by the company as a portion of the cost of making the connection with the new union station. The tunnel under Capitol Hill alone will cost \$1,649,000. The ground given up by the railroad becomes available for two public buildings, as well as for park purposes.

It is further proposed that the District of Columbia shall make suitable approaches to the new station. This is a municipal improvement; it will not increase the revenues of the railroads, but it will conduce to the convenience of the people of the District, of Government officials, and of visitors to the national capital. It is provided that the railroads shall construct so much of the plaza as lies between the building line of Massachusetts avenue and the new station; and, also, that they

shall provide for a street on the west side of the station. The public cost of these street improvements will be \$620,000 for grading and paving, \$500,000 or less for land, and \$550,000 for damages to property due to changes of grade; in all, \$1,670,000, the payment of which amount will be spread over a number of years.

It is not proposed to disturb the present legislation in regard to the elimination of grade crossings in the District of Columbia. That legislation was the result of an agitation carried on in Congress and in the District for the past twenty years. Aside from the question of the occupation of the Mall, the present laws are well adapted to secure all the results necessary to give to the District of Columbia the best possible railroad terminals. The acquisition by the Pennsylvania Railroad Company of a controlling interest in the Baltimore and Ohio Railroad makes it possible at this time to secure such a modification of the project of last year as will, when carried out, give a complete, adequate, and monumental treatment of the railroad terminals in Washington.

The entire cost to the railroads of all the changes that are to be made in the District of Columbia for the elimination of grade crossings and the construction of improved terminals amounts to \$6,761,651 for the Baltimore and Potomac Railroad Company, and for the Baltimore and Ohio, £5,599,408, or a total of \$12,361,059.

In addition to this amount the District and the United States is to expend on its own property in streets and avenues \$1,670,000, thus bringing the total sum of money to be spent in the District to more than \$14,000,000. Of this amount the United States and the District of Columbia contribute \$1,500,000 to the Baltimore and Ohio, as their share in the elimination of grade crossings along that line; and the United States pays \$1,500,000 toward the elimination of grade crossings along the line of the Baltimore and Potomac. The railroad relinquishes its occupation of the Mall. There are various smaller items in the account, such as the use of lands in Garfield Park, and damages to property along the line of the Baltimore and Potomac; but these are comparatively small items and do not materially affect the above statement.

There is practical unanimity among the people of the District of Columbia in favor of a union depot on the Massachusetts avenue site. Indeed, the solution of the railroad problem proposed is what the District of Columbia has been striving for during the past quarter of a century.

REPORT OF THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, April 16, 1902.

SENATOR: The Commissioners have the honor to submit the following supplemental report to their report of March 27 last on Senate bill 2481, Fifty-seventh Congress, first session, relative to the abolition of grade crossings in the city. This report has been delayed on account of not receiving from the railroad companies a statement of the cost of the proposed work and of the value of some of the land owned by the Baltimore and Ohio Company which it will be necessary to acquire under the bill and which the president of the company stated would be sold to the District for street purposes at cost price.

The estimated cost of the work to the railroad companies under this bill has been stated by them to be as follows:

The parts of the structure to be used by the roads in common are estimated to be equally shared, while the parts used solely by one railroad are separated.

The cost to the Baltimore and Potomac under the present bill is estimated at \$5,764,800. In addition, they will be required to spend, in accordance with existing legislation, \$1,464,753. This makes a total of \$7,239,553, an additional expenditure of \$3,584,340 over what, under existing legislation, the railroad would be required to expend.

The present bill requires the Baltimore and Ohio to make an estimated expenditure of \$5,883,550. Existing legislation requires an estimated expenditure of \$5,599,408, leaving an excess under the present bill of \$284,142.

In the reports of the Commissioners on the acts abolishing grade crossings, passed in 1901, in the discussion as to the cost, a distinction was made as to what was considered in the light of betterments and the work due to the abolition of grade crossings. The former was supposed to be paid entirely by the railroad companies and the other to be shared with the District of Columbia and the United States. In that way the sum to be paid the Baltimore and

Ohio (\$1,500,000) was approximated. It is difficult, if not impossible, under the present bill to make these distinctions, as the line between betterments and necessary changes is hard to determine, and in constructions used by both companies it might seem betterments to one and changes necessary to the abolition of grade crossings to the other. Moreover, the railroads claim that the present bill gives them no betterments. In the case of the Baltimore and Ohio the claim is made that the greater part of their business is freight and that the proposed location of their freight depot is greatly to their disadvantage. They, of course, obtain the advantage of a southern connection, for which, however, they pay half the cost of the tunnel.

The most practical way to discuss the division of cost would seem to be to take the total cost to the railroads of the work which they have to do and the total cost to the District and the United States consequent upon these changes.

The details of the figures submitted by the companies are on file in the office of the Commissioners. These estimates are liberal and higher than those made for similar work in 1901. The reasons given for the change are increased cost of doing the work, due to advance in prices and uncertainty of the character of the excavations, which will have to be carried to greater depths.

In the case of the Baltimore and Potomac the extra estimated cost is nearly \$3,600,000, and the bill provides that the company is to receive from the United States \$1,500,000 for vacating the Mall.

In the case of the Baltimore and Ohio the total estimated cost is \$250,000, or \$300,000 greater than that of last year. This is due to sharing the cost of the tunnel, estimated at \$824,525. Outside of the tunnel the cost is less on account of the lessened length of viaduct and because a part of the expense is to be shared by the Baltimore and Potomac.

The cost to the United States and the District of Columbia is estimated as follows:

To be paid by the United States to the Baltimore and Potomac for vacating the Mall	\$1,500,000
To be shared by the United States and the District, to be paid the Baltimore and Ohio under existing legislation.....	1,500,000
Cost of grading and paving.....	500,000
Cost of real estate to be purchased.....	500,000
Damages to property due to change of grade	600,000

The last item is, of course, very uncertain, as it is very difficult to estimate accurately what damages will be given by the courts. In addition to the above, existing legislation requires—

An expenditure in South Washington, estimated in previous reports as ...	\$120,000
For grading and paving and for damages to property.....	50,000
	170,000

This is \$80,000 less than what is estimated in this section under existing legislation, as work in connection with the main tracks leading into the Mall will not be necessary.

The total cost of the changes is estimated as follows:

Work done by the railroad companies	\$13,073,103
Work done by the District, with damages to the property.....	1,770,000
Making a total of.....	14,843,103

This would be apportioned as follows:

Railroad companies	\$10,073,103
United States and District of Columbia	4,770,000

(Of which the District pays \$1,635,000.)

While the figures presented by the railroad companies are liberal, it is considered that they will spend at least the amounts named, as the estimate is \$4,000,000 for a union station and foundations, and it is probable that the actual cost will exceed this.

In the discussion of the public space in the way of closed streets granted the railroads, it is difficult to make a distinction between that allowed the Baltimore and Ohio and that allowed the Baltimore and Potomac, as they will occupy so much of it in common. In general, it may be said that the Baltimore and Ohio receives less public land in the way of streets closed under the present bill than it does under existing legislation, while the Baltimore and Potomac receives more, leaving out the evacuation of the Mall, which is separately considered.

The total amount of streets closed is somewhat greater under the bill than under existing legislation. This increased occupation is, however, mostly in the way of a further closing of streets already closed, and as in all cases the abutting property on the closed streets will have to be bought by the railroad, and as free communication is to be maintained, there will be little damage to the public, and the expense of keeping up the streets will be saved. Many of the streets to be evacuated by the companies are, on the contrary, quite important, being long lengths of streets, such as First street NE. and the right of way of the Baltimore and Ohio between Delaware avenue and Winthrop Heights. It is therefore considered that, as far as land is concerned, the equities have been maintained.

The abolition of grade crossings in the District of Columbia has been agitated for a number of years, and it was only last year that acts were passed providing for the work. These acts are presumed to have preserved the equities between the United States and the District on the one hand and the railroads on the other.

The changes directed in the present bill are mainly the vacation of the Mall and the building of a large union station north of Massachusetts avenue. It is considered that the vacation of the Mall is worth to the United States the million and a half asked for it, and the Balti-

more and Potomac spends nearly \$4,000,000 additional. The cost of the work done by the Baltimore and Ohio, according to the present bill, does not greatly exceed that directed by existing legislation, and if the southern connection is left out it is less than that. On the other hand, the railroad company does not seek this change, and claims that it will be at a considerable disadvantage in handling its freight business, and also at a considerable increased expense in handling the passenger business, due to the extra terminal charges.

The District of Columbia pays for these changes a sum which should not exceed \$2,000,000 and which will probably be considerably less.

The Commissioners are of the opinion that it is for the best interests of the District that this bill should become a law.

Very respectfully yours,

HENRY B. F. MACFARLAND,

JOHN W. ROSS,

JOHN BIDDLE,

Commissioners of the District of Columbia.

Hon. JAMES McMILLAN,

Chairman Committee on the District of Columbia, Senate.

HEARING AS TO PROPOSED TUNNEL UNDER CAPITOL HILL.

SENATE COMMITTEE ON DISTRICT OF COLUMBIA,
Washington, D. C., March 18, 1902.

Present: Senators McMillan (chairman), Hansbrough, Dillingham, Wellington, Heitfeld, Martin, Clark, of Montana, Foster, of Washington, and Foster, of Louisiana.

The CHAIRMAN. The purpose of the present meeting of the committee is to ascertain whether or not this proposed tunnel would in any way affect the Library building, so I have asked the engineer officer of the District, Colonel Biddle, and Mr. Brown, the chief engineer of the Pennsylvania Railroad, and Mr. Green, who built the Library building and knows all about it, and who is in charge of it now, to be present to-day and answer any questions that the committee would like to ask them concerning the tunnel.

Mr. Brown will give us some facts in relation to it that may be of interest. As I understand, this tunnel is to be from 50 to 60 feet below the surface of the ground, and the character of the ground is such as to render it impossible for any vibration to take place.

Senator FOSTER, of Washington. I would like to inquire if they have made their borings, and what the material is?

Mr. BROWN. We have not made any borings at all.

Senator FOSTER, of Washington. There is rock all around there, is there not?

Mr. BROWN. We have always been expecting to strike rock there.

Senator CLARK. How deep did they dig in making the excavation for the Library?

Mr. BROWN. I do not know as to that.

The CHAIRMAN. Mr. Green will tell us all about the Library.

Senator MARTIN. Mr. Chairman, I think we had better ask Mr. Green to make his statement first.

STATEMENT OF BERNARD R. GREEN.

Senator CLARK. I would like to ask if in the excavation for the Library building they went below the natural surface.

Mr. GREEN. The depth below the surface of the ground would of course be a little greater than below the grade of the street just in front; that is somewhat lower. Perhaps that is what you would like to know—how far the foundation of the Library is below the grade of the street. It is not more than 9 feet.

Senator CLARK. What did they have for a base there, sand or rock? Senator FOSTER, of Washington. It was concrete.

Mr. GREEN. It was a natural bed foundation; it is a sandy clay and very uniform, with certain alluvium, but no rock.

Senator CLARK. Have you ever had any boring done, or do you know of any borings having been made to determine the underlying formation between the Capitol building and the Library building?

Mr. GREEN. No, sir; we never made any. The character of the ground developed by the foundation of this building at the time and also of that one (these were deeper than those) indicates that there must be a considerable depth of alluvium and that the rock must be a considerable distance down. I should judge it would not be found under 30 or 40 feet, and I believe it will be found, if examinations are made, to come a way below the proposed tunnel grade or railroad grade. This is an alluvium hill on which these buildings stand.

Senator CLARK. But there was no alluvium or rock exposed anywhere that would enable you to form a conclusion of that kind?

Mr. GREEN. None that I have ever heard of, and I am pretty familiar with the hill. The District engineer can probably give you a better opinion on that subject because he made the excavations for sewers and other underground work all about the hill.

The CHAIRMAN. There is a big sewer that runs up in front of the Capitol here?

Senator HEITFELD. That is west?

Mr. GREEN. Yes. Now this much may be said, that no rock appears about the hill anywhere near its base. I believe the Engineer Commissioner will corroborate that, and that all along Pennsylvania avenue, which is the lowest part of the city, the rock is known to be not less than 30 or 40 feet deep, and probably 60 feet in many places; where the foundations of the Post-Office Building are, near Twelfth street, for instance.

Senator HEITFELD. That would be on the river bottom, virtually. That may not be the condition on the hill.

Mr. GREEN. Yes, sir; that appears to be the condition all around, and we know the existing condition of the Pennsylvania avenue tunnel above the navy-yard. There is quite an excavation through that portion of the hill. I do not think there is any rock there at all.

Senator MARTIN. You have given consideration to this special subject, have you not, as to this tunnel and what its effect would be upon the Library building?

Mr. GREEN. Yes, sir; I have.

Senator MARTIN. Are you satisfied that it would have no injurious effects, or what is your conclusion as to that? We would be glad to have your views in full.

NO DANGER TO THE LIBRARY.

Mr. GREEN. My view is that putting this two-track tunnel through the hill at the proposed depth, which I understand is about 56 feet to the bottom of the tunnel below the present surface of the ground, and running trains through it, would not endanger the Library building or its approaches at all, and especially if in boring the tunnel, or in building it, the proper precautions were taken for guarding against the settlement of the earth overhead as the work progresses, which precautions are entirely within the power and resources of the engi-

neers and contractors to exercise. I think there would be no settlement and no injury, therefore, to the Library foundations.

Senator CLARK. Suppose, in excavating that tunnel, there should be any mistake made about protecting or supporting it and a cave should take place there, is the nature of that ground such as it would cause a run of the earth to go down and injure the foundation?

Mr. GREEN. No sir; the angle on which a sliding would occur in that ground would be very steep. The ground is quite firm and there is no difficulty in making an excavation of ten or even fifteen feet on a vertical cut without sliding.

Senator CLARK. You do not know whether this clay on which the foundation of the Library building was constructed extends to any very great depth, do you?

Mr. GREEN. Well, there may be a bluish clay farther down; we do not know about that, but there is no reason to apprehend that the character of the clay, or of the alluvium, whatever it is, is different in that respect from that on the surface; that is, it would stand at a very steep slope.

Senator CLARK. Are there any gravel or pebbles mixed at the depth of 5 feet that you found?

Mr. GREEN. No, sir; for 2 or 3 feet we find sometimes a stratum of that kind mixed with the clay. If there was any height or considerable depth of a stratum of that kind the sliding might be on a flatter slope, of course, but it is not probable that this stratum would be of any great thickness, not more than a very few feet. So that the angle of a sinkage—even a sinkage all over a tunnel—caused by the excavations you refer to would spread but slightly on the surface.

Senator CLARK. Are there any deposits of quicksand in this hill that you know of?

Mr. GREEN. I do not know of any.

Senator CLARK. Is there any sand at all, or homogeneous bodies of sand?

Mr. GREEN. They are likely to be scattered through the clayey strata, but not continuing clear through the hill, I think. That is, the indications in the ground are of that general character everywhere.

Senator HANSBROUGH. How far below the bottom of the Library foundation would the bottom of this tunnel be?

Mr. GREEN. It would be about 47 feet. It is projected to be 56 feet below the street, and the foundation of the Library is about 9 feet below the street—the bottom of the footings.

NO VIBRATIONS.

The CHAIRMAN. You do not think that in a tunnel of that depth the running of fast trains on a level would make any vibrations that would be noticed in the Library?

Mr. GREEN. I should not expect it; no, sir.

The CHAIRMAN. I understand that in this present tunnel, on Virginia avenue, there is no vibration at all.

Mr. GREEN. So I am informed.

The CHAIRMAN. The Engineer Commissioner of the District has been over there and he says there is no vibration at all. How deep is that Virginia avenue tunnel?

Mr. BROWN. About 40 feet.

The CHAIRMAN. All the freight trains and passenger trains go

through that tunnel and yet there is no vibration, and this proposed tunnel is intended for nothing but passenger trains, and on the level. There is a very heavy grade there.

Mr. GREEN. There is another consideration of importance in connection with the vibrations—that the ground on which the Library stands is not exceedingly loaded by the Library. Vibrations can only disturb the stability of a structure standing on such a foundation seriously when the load per unit of bearing surface is great. For instance, a feather lying on the ground would not be disturbed, and so, logically, in increasing that load within a safe margin of stability, such as we have over there, it would take a very considerable vibration, I think, to disturb the stability of the building on its present foundations.

RIFTS OF ROCK NOT DANGEROUS.

Senator CLARK. If it should be discovered that there are rifts of rock running through the ground here, and this tunnel should penetrate them, and trains run over these rocks in passing, that would cause a vibration, would it not?

Mr. GREEN. I think it would not.

Senator CLARK. Do you know what distance from the limit, say the upper limit of the rock, vibration will be communicated to the superimposed formation—whether it is sand or clay—probably one or the other?

Mr. GREEN. The amount of vibration communicated would, of course, depend upon the severity of the vibration and its amplitude. A very heavy vibration in the rock would, of course, send the results through a much thicker covering of earth than if it were lighter, but it would seem to me that passenger trains running through a tunnel as far from the building as has been stated would hardly be noticeable on the surface or in the Library.

Senator CLARK. This tunnel is projected to run under the street, is it not?

Mr. GREEN. Right under the middle of the street, as I understand from the drawings.

Senator CLARK. How far is the Library from the eastern limit of the street—how far is it set back?

Mr. GREEN. It is about 100 feet back from the eastern side of the street. The tunnel is proposed to run under the center of the street, so there would be 150 feet from the center of the tunnel to the Library walls.

Senator HEITFELD. How wide will the tunnel be?

Mr. GREEN. Twenty-eight feet, the engineer says.

Senator HEITFELD. He says the street is probably 50 feet.

Mr. GREEN. That is the paved portion.

Senator HEITFELD. I mean the paved portion.

Mr. BIDDLE. That would include the parking.

Senator MARTIN. The center of the tunnel is the center of the street?

Mr. GREEN. Yes, sir.

Senator MARTIN. And it is 28 feet wide?

Mr. GREEN. Yes, sir.

Senator MARTIN. So that 14 feet of tunnel will extend from the center of the street in the direction of the Library?

Mr. GREEN. Yes, sir; about 14 feet would be to the inner wall of the tunnel, and there would then be 3 or 4 feet more to the outside of the excavation.

WIDTH OF FIRST STREET.

Mr. BIDDLE. The street is 110 feet wide.

Senator MARTIN. How many feet is it from the eastern limit of the tunnel to the foundation of the Library building?

Mr. BIDDLE. It would be about 45 feet from the outside of the tunnel to the street line, but Mr. Green says there would be 100 feet more, which would make it 145 feet.

Senator MARTIN. So it is 145 feet from the outside to the foundation?

Mr. GREEN. No, sir; it would be a little less. It is 150 feet between the center and the wall, and if you then subtract the half width of the tunnel it would be about 133 feet.

Senator MARTIN. It would be about 133 feet from the eastern end of the tunnel to the Library building proper?

Mr. GREEN. Yes, sir. Of course, there are approaches that extend out to the street.

Senator MARTIN. I understand that your professional conclusion is that there would be no danger of vibration to the Library foundations.

Mr. GREEN. Yes, sir. That is my conviction, especially if the proper precautions are taken.

Senator MARTIN. Of course, I am assuming that all proper precautions shall be taken, as are required.

Mr. GREEN. Of course, in boring such a tunnel in such a place the contractors would naturally be expected to use very much more precaution than they would in excavating through a mountain out in the woods where vibrations would be of no consequence.

NO DOUBT AS TO SAFETY.

Senator MARTIN. Are you entirely conclusive in your mind about that? Is there any doubt about it?

Mr. GREEN. None, whatever.

Senator MARTIN. Because we would not be justified in taking any risk if there is any doubt about it.

Mr. GREEN. I am quite sure that the cutting of the tunnel through under the front of the Library building, with proper precautions, especially at the approaches, which is comparatively a short distance, there would not be any danger whatever.

The CHAIRMAN. We propose to put that matter under your supervision to some extent, so that you will see that everything of that kind is done.

Mr. GREEN. Conditions could very well be imposed upon the railroad company, or whoever is to construct the tunnel, that the proper precautions should be observed.

Senator CLARK. If you were acquainted with that ground below the depth of 9 feet—which I believe is where your excavation extends—and you should find that there were rifts of rock running through there, might that not change your opinion as to the possibility of danger?

Mr. GREEN. No, sir; in fact, I think that would be an advantage if they were cutting through solid rock and using light blasts. They would not use heavy blasts to blow out large pieces to get through in a hurry. They would use lighter ones and bore the tunnel through the rock with greater security.

Senator CLARK. Are you familiar with the conditions in Baltimore where a tunnel has been driven through one portion of the city?

Mr. GREEN. Yes, sir.

Senator CLARK. We have a report here that some of the buildings in Baltimore were damaged by reason of vibration or settlement.

Mr. GREEN. Those settlements occurred in a few places because of the treacherous character of the ground through which they had to go. They found quicksand through there, and other bad material in places. And then I do not know that they took the utmost precautions in constructing the tunnel. The contractors, I think, took the chances and thought it probably cheaper to get through the tunnel a little faster and pay the damages.

Senator CLARK. Was that tunnel lined with rock?

Mr. GREEN. It was lined with brick.

Senator CLARK. Did this damage occur after it was lined with brick, or before?

Mr. GREEN. I understand that it was during the process of construction; at the time of the boring. That is when it is most likely to occur. If the lining in the tunnel is carefully laid, and the back filling is very carefully done as they go along, there ought to be no disturbance after that.

Senator CLARK. Is it not possible that they might encounter, in driving the tunnel, beds of quicksand?

Mr. GREEN. That may be.

Senator CLARK. In that case might there not be some possibility of danger?

Mr. GREEN. Well, if the ground proves to be so bad as that the danger, I am sure, could not extend farther back than just to the front of the approaches, along the street, where their foundation is. It would not disturb the building itself, and if it should injure that, they could repair it; but it would not injure the building itself.

Senator CLARK. Is not quicksand sometimes very uncertain; when it begins to run will it not run a considerable distance away from the place of operation?

HANDLING QUICKSANDS.

Mr. GREEN. Oh, yes, sir; but the means of cutting tunnels nowadays and apparatus for the handling of material and guarding against those difficulties are very much increased. The resources of engineers and contractors for that kind of work have been very greatly increased during the last half dozen years. A few years ago it was a very difficult operation, and never entirely satisfactorily accomplished. The tunnel under the East River at New York was only constructed a few hundred feet and then abandoned. At the present time there would be no difficulty in putting a tunnel through there without interruption.

Senator CLARK. Do you know why the tunnel has been projected so near the Library building? However, I suppose the engineers of the Pennsylvania Company could give us information as to that.

Mr. GREEN. They would know better about that.

Senator CLARK. I will withdraw that question, then, and ask the engineer of the Pennsylvania Company.

STATEMENT OF WILLIAM H. BROWN, CHIEF ENGINEER OF THE PENNSYLVANIA RAILROAD COMPANY.

Senator WELLINGTON. I would like to ask a question or two, from the fact that this matter has been brought to our attention very forcibly. In the first place, as to the trouble with the Pennsylvania tunnel at Baltimore, and, secondly, the trouble with the construction of the Baltimore Belt Line. I know something about that myself, and that has given me some trouble concerning this matter.

When the Baltimore and Ohio Railroad Company constructed its Belt tunnel in Baltimore city, they ran up Howard street a part of the way, and when they got up Howard street to the City College—a building of some dimensions, of course, but not in any wise as large as this; I should say not one-twentieth as heavy or as great as the Library building here. When they got that far there was a cave in, and it extended from the tunnel, which was run, I think, in the middle of the street out beyond the pavements some distance until it reached this building, when it completely demolished it, as it were. Now, that gives to me the idea that we ought to be very careful in the construction of this tunnel. It may be that it can be constructed without danger, as Mr. Green suggests, but what I would like to know is whether Mr. Brown thinks there would be any danger of encountering the difficulties that were encountered in the building of the Baltimore and Ohio Belt Line tunnel there.

Mr. BROWN. I do not think so. The tunnel that Mr. Green refers to in Baltimore, that had the cave in last winter, was built in a 50-foot street, to begin with, and it was built a good many years ago, when they did not know as much about tunnels as they do now; and to tell you the honest truth, it was a pretty bad job of contracting at the time. It was not properly backed and filled; the arch was not made heavy enough and there were two houses along there that were damaged somewhat that we had to buy that were pretty badly damaged. But we have a tunnel in Philadelphia on Thirty-second street, where the trains go through between Thirty-second street and Walnut up to Market, and it is built in a 50-foot street and through the rock. We have not had any complaint there of any kind whatever. The Drexel people came there and built a great big building right in front of our center line in the tunnel.

Senator HEITFELD. That is, they built it after the tunnel was constructed?

Mr. BROWN. Yes, sir; and they appeared to be satisfied because they put an addition to it, and we never heard any complaint about it whatever.

Senator WELLINGTON. The great danger would be that this building is already on the ground, and the matter of running the tunnel through—taking the same supposition that Senator Clark suggested a moment ago—if there should be a recurrence of the same trouble that they had in Baltimore, when they ran the tunnel up Howard street, when they struck a quicksand—would there be any danger, in your opinion, to the Library?

Mr. BROWN. I do not think so, because they would have to take the necessary precautions to shore that up.

Senator WELLINGTON. Would it not be necessary then, instead of

building an arch, to have a cube, as it were, as they were forced to build there?

Mr. BROWN. They would have to put a protection behind the arch, so as to keep the thing clear until they could build the arch. We had our grade made low enough under First street to get under the sewer and street-car tracks and conduits, and such things as we found there, so that we would not interfere with those constructions in any way, and we had to make the contractors give heavy bond that they would not disturb the condition, and it would be to their own interest, anyway, to do this thing in the proper way. The first thing to come down on him would be the sewer—if there are sewers there, and there are sewers in that street, I understand.

Senator WELLINGTON. I understand that there are.

Mr. BROWN. And pipe of any kind. I do not think they would ever know that there was a train under there after it was built.

Senator WELLINGTON. I do not see as much trouble after the building of it as during the time of the building of it, because I believe that those very things that have occurred concerning the cave-in of the tunnel at Baltimore would make the companies hereafter very much more careful in the construction of future tunnels.

Mr. BROWN. They build tunnels very differently now from what they did in those days. We are arranging to-day to build two tunnels under New York City 40 feet underground, right across Manhattan Island from East River to North River, under a 60-foot street. This street is 110 feet wide.

Senator WELLINGTON. How near will this tunnel approach to the Library building?

Mr. BROWN. The center of it is 150 feet from the nearest portion of the Library—from the center of the tunnel.

Senator WELLINGTON. I thought the distance was much less than that.

Mr. BROWN. No, sir; it is 150 feet from the nearest part of it.

Senator CLARK. How deep is that tunnel that you speak of in Philadelphia below the surface of the ground?

Mr. BROWN. It is so close to the surface that it is unnecessarily cramped for head room. It is not over, certainly, 21 or 22 feet from the bottom.

Senator CLARK. It was an open excavation to begin with?

Mr. BROWN. Yes, sir; an open excavation and the tunnel was arched in and built up again.

The CHAIRMAN. The tunnel that they are building in New York under this new law authorizing the commission to go under the streets, comes right close to the post-office building. There is an application now before the Committee of Commerce, of which I am a member. They want to come right close to the post-office building and go 30 feet down and strike the corner of the building because they want to handle all the post-office matter, so that they would not be nearer than they would otherwise care to go. They do not think there would be any trouble there. The question came up there whether the vibration would affect the courts, and the information to the War Department seemed to be that it would not.

Senator CLARK. Have you had considerable experience in this city with regard to making excavations of tunnels; and have you studied the geological formations here?

Mr. BROWN. I have not been engaged in very deep foundations. I have done some work along the railroad and made very deep foundations and there is no rock along there that I know of.

Senator CLARK. This road that we pass over in going to Baltimore, how deep is that below the surface of the streets?

Mr. BROWN. I suppose the deepest place is about 40 feet, but in the center of the street it is not more than 30 feet.

Senator CLARK. Would you encounter any solid rock there?

Mr. BROWN. That I do not know. I do not think so because there is no rock along the road that would show. In fact there is no rock on this road for several miles away from Washington.

Senator CLARK. I will ask you if it is necessary in order to cheapen the construction of this tunnel or to get the proper grades, to build it so close to the Library building; can you not just as well build it through the park, several hundred feet away?

Mr. BROWN. Well, when this station was located on C street we had a line run through the Capitol park about 50 feet inside of the street line, but when they moved the station up to Massachusetts avenue it was necessary to get our line farther up to accommodate the tracks.

Senator CLARK. Could you not run diagonally, beginning farther west to the entrance of the grounds and run diagonally through so as to get farther away from the Library building.

Mr. BROWN. That would make a crooked or curved tunnel. As it is now the tunnel would be almost straight; it will be straight from the passenger station to B street SE., and then there will be a slight curve around. But the other would make it crooked or curved right at the station.

Senator CLARK. Would it make any difference in getting your approaches to the tunnel as respects the right of way and matters of that kind?

Mr. BROWN. It would make a good bit of difference in the matter of right of way because we would have to purchase property for the tunnel. That is about all the difference it would make. Of course it could be as easily built at one place as the other.

Senator CLARK. You are familiar with railway building and the construction of tunnels, I suppose; you have had a great deal of experience in that?

Mr. BROWN. Yes, sir.

WORKING QUICKSAND.

Senator CLARK. What is your opinion—I believe you answered in the question asked you by Senator Wellington—as to whether or not, in case quicksand should be encountered, it would be dangerous? If you answered that question before, you need not answer it now.

Mr. BROWN. Well, there are two ways of working where there is quicksand. In the first place, you should put a tight bulkhead in to hold it back. Now, they have a process of freezing with some kind of chemical, as was done at a place out in Missouri. There was a very bad place there—a sink; I think it went down 90 feet. That same party is now before us in New York endeavoring to get his plan adopted for the North River tunnel. We have seen enough of his method, and also of other people's methods, to know that we can put a tunnel under the North River, which is all like mud; it is so light that it won't bear the weight of a train. We have to support the tunnel

after we get it built through its bottom in the North River. There would be no trouble in handling quicksand in a hill like this. We have had a good deal of quicksand in tunnels, but we have always managed it.

Senator CLARK. What would be the result if you should encounter rifts of rock running through there at a depth above the tunnel that would project above the tunnel, so far as vibration is concerned?

Mr. BROWN. We would take the bottom of the tunnel down below the subgrade, so that the tracks would lie on the same kind of substrata over the rock as it would over clay. It would depend on the ballast entirely. We would take out rock enough so as to let us get enough ballast below the bottom of the tie and the bottom of the tunnel. We always do that.

Senator CLARK. That would break the vibration, would it—the material that you would put in there? You would excavate at a sufficient depth to put in a cushion, as it were, to break the vibration?

Mr. BROWN. Yes, sir; that is what it is put there for. Then our track could be used especially in a tunnel and on bridges, and we would want it a little more extra than we do outside. It is always laid with a great deal of care and the joints are fished, so that there is any amount of them, and they are not laid with both rails on a tie like some English roads are. Some Western roads are also built that way—with both joints on a tie where the grade is very light—part two-tenths and part only one-tenth per mile, and the balance only 10 to 11 feet to the mile.

Senator CLARK. Is it intended to line this tunnel with masonry?

Mr. BROWN. Yes, sir; we put it in to prevent falls.

Senator CLARK. How close can you carry your lining from the breast of the tunnel when you are building?

Mr. BROWN. How far can we do what?

Senator CLARK. How far can you carry your lining to the breast of the tunnel. How near to the breast of the tunnel can you carry your masonry work, in other words?

Mr. BROWN. Do you mean to the end of the tunnel?

Senator CLARK. No; while you are building.

Mr. BROWN. Oh, the way we generally do that is to put a drift through about where the top of the tunnel is going to come and keep shoring that up until we come to the side, and then put the wall right up as soon as they get down to grade. The wall of the tunnel is generally finished within a very few weeks after the excavation is finished. It follows right up as close as possible.

Senator HANSBROUGH. Have you made any borings along the line of this proposed tunnel so as to ascertain the character of the proposed formation?

Mr. BROWN. No, sir; we have not.

Senator MARTIN. Do you think it is necessary at all to have those borings?

Mr. BROWN. We would probably do that before we entered into the contract.

Senator MARTIN. That is not to ascertain the safety of it, but simply the cost of it, is it not?

Mr. BROWN. That is what we use to ascertain what kind of material is to go there, so that the contractor can go about his business.

Senator MARTIN. Exactly; but I had supposed you were satisfied

that you would manage any material met with, and that the boring was therefore not necessary because of the advances in engineering. You know that you can handle any material that you may meet with.

Mr. BROWN. Yes, sir.

Senator MARTIN. And the boring is purely to ascertain the cost, and not the safety?

Mr. BROWN. We did not want to do too much boring on the line of this road until we got the line established, because we did not want to start any trouble among the real-estate owners, etc. Just as soon as the line is finally established, then, of course, we will have an accurate survey and make borings and all of those things.

Senator HANSBROUGH. That would be after the bill was a law?

Mr. BROWN. Yes, sir.

Senator HANSBROUGH. If you should discover anything that was difficult to pass through you would be loath to turn around and go back?

The CHAIRMAN. There is no difficulty nowadays in that regard.

Senator MARTIN. Sand or anything else that they might meet with is no barrier now?

The CHAIRMAN. I know that in Detroit they attempted to build a tunnel under the river and could not control the quicksand, while now they can accomplish it without any trouble at all under modern methods, and here there is very little danger of anything of that kind.

Mr. BROWN. I do not think there is any danger. I do not think you would ever know it was there after it was built. You would not hear a train go through—even people who were standing right on top of the tunnel.

Senator CLARK. I want to ask another question, Mr. Brown. Are you familiar with the construction of the Lake Shore road through the city of Toledo, in Ohio?

Mr. BROWN. No, sir.

NOT A TUNNEL.

Senator CLARK. Mr. Chairman, the reason I ask that question is because I see a telegram in the Sun, which reads as follows:

TOLEDO, OHIO, March 16.

The big plant of the Toledo Metal Wheel Company, which employs from 600 to 800 men, stands along the Lake Shore Railway as it runs through the Auburndale suburb. This afternoon just as a west-bound passenger passed the building the building collapsed and fell across the track, barely missing the rear coach. Two seconds earlier and every occupant of that coach would have been killed.

The loss will be heavy, and while covered by fire insurance this, it is said, will not apply. It is supposed by architects that the continual passing of trains caused the walls to weaken. This, attorneys say, may involve a new question of responsibility.

This is, I take it, something similar to the Baltimore matter that was suggested.

Mr. BROWN. That was not a tunnel, was it? That was where the road ran along the street, I think.

Senator CLARK. It does not say that it was a tunnel but the matter of vibration, however, is involved in it.

Mr. BROWN. Well, the vibration would be considerably greater on a piece of alluvium ground by a lake shore or river than it would be on hard clay or rock bottom.

The CHAIRMAN. That is all pretty much made ground there in Toledo, and there are an enormous number of trains passing by there every day.

Senator CLARK. There is an immense traffic on it, as there would be here.

The CHAIRMAN. No; the traffic here is by passenger trains from the South; the freight would go as it does now. This is contemplated only for passenger trains.

Senator HEITFELD. Did we not take those large cars off of the Metropolitan line on F street in this city on account of the vibrations?

The CHAIRMAN. That was because of their going around The Richmond and one or two other places in that vicinity. That relates to the surface, of course. Some of the houses are built rather cheaply in that neighborhood, and something fell off of one of the mantelpieces in one of the houses, I believe?

Senator HEITFELD. They make considerable noise though. I was informed at the time that the objection was on account of the vibration that was caused by those cars.

The CHAIRMAN. I understand that in going around the curves there considerable objection was occasioned.

I think that is all the committee desires to ask you, Mr. Brown.

STATEMENT OF COL. JOHN BIDDLE, ENGINEER COMMISSIONER OF THE DISTRICT OF COLUMBIA.

The CHAIRMAN. Colonel Biddle, the Engineer Commissioner, is present, and will be glad to answer any questions that the committee desires to ask him.

Senator MARTIN. Colonel Biddle, you have thoroughly investigated this matter, have you not?

Mr. BIDDLE. I have gone over it somewhat. I asked the superintendent of sewers what he thought about the ground around here. We have never bored it ourselves, but he has constructed a considerable number of sewers in Washington for many years, and he informs me that he thinks it is all clay down as far as the river; that he has run, as far as sewers are concerned, from P street, and he never discovered rock south of that. But I do not think it makes the slightest difference whether it is clay or rock. I do not think it would affect the Library building at all. I really do not think that the building of a tunnel of that kind would affect the Library building at all, because the angle would only be about forty-five degrees, and that would be about 100 feet.

Senator MARTIN. In your professional judgment it would be absolutely safe?

Mr. BIDDLE. Yes, sir; absolutely safe.

Senator MARTIN. And the use of it after it is completed would be perfectly safe?

Mr. BIDDLE. Yes, sir.

Senator MARTIN. Your opinions are absolute—you have no misgivings as to the matter?

Mr. BIDDLE. No, sir. The underground railway in New York runs under the streets of New York, and the Pennsylvania Railroad is right close to the houses and there were no misgivings, and I do not anticipate any danger here.

Senator CLARK. Suppose in building we should encounter hard rock, rifts of hard rock, one or more we will say, in the blasting operations there; would there not be severe vibrations?

Mr. BIDDLE. Not if they were small joints. They have been doing that in New York right in the middle of the street without affecting the houses.

Senator CLARK. Were there any rifts of rock there?

Mr. BIDDLE. Yes, sir; along the streets of New York sometimes there is rock.

Senator CLARK. We have heard a great deal about damage in New York resulting from blasts in the excavations there that may probably be due to an unusual and improper storage of powder; it may have resulted from that.

Mr. BIDDLE. Of course. No one can account for those accidents.

Senator Clark. Might not the same thing occur in the building of this tunnel?

Mr. BIDDLE. I do not think there is any likelihood of it at all.

Senator CLARK. Can you always throw safeguards around such construction that would prevent accidents of that kind?

Mr. BIDDLE. I think you can.

Senator CLARK. They did not do it in New York.

NO DANGER TO BE APPREHENDED.

Mr. BIDDLE. They were in a great hurry there and were trying to put the work through as fast as they could. I do not think that a small accident in a tunnel, that would really blow it out at the top would do any damage, and that is not likely to occur here.

Senator CLARK. You are familiar with the Library building and the delicate work there—the frescoing, mosaic work, and marble work, and all that?

Mr. BIDDLE. Yes, sir.

Senator CLARK. You, of course, appreciate the consequences if there should be anything that would cause a crack in that fine work; the enormous damage it would do, and the expense it would involve?

Mr. BIDDLE. I appreciate that, of course, but I do not anticipate any results of that kind.

The CHAIRMAN. I think that is all we desire to ask these gentlemen. I simply invited them to be present at the meeting to-day to give us their views upon this matter, and I think I can say that we are very glad that they have come. I had, of course, myself heard Colonel Biddle's views, but I did not know as much about it as I do now.

Senator CLARK. I have had a good deal of experience in the construction of tunnels, and I know that in many instances abutting houses have been almost entirely rent in two by the settling of earth half a mile away.

The CHAIRMAN. That is probably so, but this is a small tunnel, and it is to be handled by the best railroad men in this country. We have letters from Mr. Cassatt stating that he can not conceive of the slightest danger. They are bound in honor to do the work properly, and I think we ought to put in an amendment leaving that matter to be superintended by Colonel Biddle and Mr. Green.

Mr. BIDDLE. That is already in the bill.

Senator CLARK. Mr. Chairman, I think that in Philadelphia they exacted bonds from the contractors to cover any damages that might result. If these people are still determined to build, or wish to build, and can not change the projected tunnel without material expense or

inconvenience for the route of the cars, can not some safeguard be thrown about the Library with regard to its safety by exacting bonds that will cover any possible damages that might result?

RAILROADS NOT ASKING LEGISLATION.

The CHAIRMAN. I do not think you quite understand the position of the railroad company. The railroad companies are not asking to do this at all. The railroad companies, by bills that were passed at the last session of Congress, have been given permission to put up a station at the Mall and another station at the Baltimore and Ohio Railroad depot. They are entirely satisfied with those bills and do not desire any change made. They think there is some advantage in having the two bills; the Pennsylvania Company thinks there is some advantage in having them near the center of the city. This matter was up ten years ago, in regard to getting one station in Washington, and we never could bring the two railroad companies to even consider it. Now the people of this District have been trying to get them to consider the propriety of having this one station, and we are urging this; they are not urging it, and it is not thought that it would be wise to put any stumbling-blocks in their way.

Senator CLARK. Is it not customary—and these gentlemen can answer as to that—to have bonds executed by contractors under any circumstances?

The CHAIRMAN. I suppose the Pennsylvania Company would exact the bonds from the contractors, but we simply demand that they shall build a proper tunnel—a tunnel that is perfectly safe for traffic, and one which will not injure any property. I do not know whether it is customary to give bond or not.

Senator WELLINGTON. I understand from the statement of the engineer that they would require bonds of the contractors.

Senator HEITFELD. If the railroad company is entitled to bonds it seems to me that the city is.

The CHAIRMAN. Under our bill we give back to the railroad company the amount of money which we were going to give them in land, as I explained the other day. We do not pay a dollar of that million and a half to them until this work is satisfactorily completed. We hold it in our hands.

Senator CLARK. I did not understand that feature of it.

The CHAIRMAN. Yes; that we hold in our hands until all of this work is satisfactorily completed, and the bill provides that it shall be satisfactory, so I think that covers that point.

Mr. GREEN. As an illustration of the care that may be exercised by contractors in doing difficult work, or working in rock, I will say that I know of a number of instances that show how safely a piece of work of that character can be done. I was consulted as an engineer some years ago when the union station in Georgetown was proposed. It was in a kind of rock that was very slippery and sliding, and a party who had a house on the verge of this deep cut, which was about 60 feet deep, was very apprehensive of the stability of the building, and he objected to the work that was going on there, and kept some lawyers very busy to save his property. The excavation went on, and the work was completed without the slightest crack or injury to his property.

In New York, not long since, I was examining the work that was going on in the subways that were being constructed and which you know are beneath an endless tangle of the water pipes and sewers, and everything you can think of; it was work of the most complex sort. I saw the men blasting rock near the water mains that were not more than from $1\frac{1}{2}$ to 3 feet apart, mains 2 feet in diameter, between which were pieces of rock sticking up. They used little blasts and knocked out the pieces of rock without the slightest danger. That shows how it can be done safely by exercising the proper care.

Senator CLARK. Mr. Chairman, I do not appear here as an obstructor; I want that distinctly understood. I am just as desirous to see this improvement go on as anyone, with proper safeguards. But I consider the safety of that magnificent building, which has no peer on this continent, as paramount to any advantages that may grow out of this contemplated improvement, and that is the reason for my asking so many questions.

Mr. GREEN. I do not want to be understood as advocating this scheme for the Government. I happened to have these items in mind, and I have given them to the committee.

The CHAIRMAN. Knowing that Mr. Green was the father of the building, and took more interest than any other person who has charge of it, I was anxious to have him here, and he has kindly consented to see that the tunnel is put in properly and without danger to this building.

Senator CLARK. I think if it were possible to change the route of this tunnel without too much cost or inconvenience that it ought to be done in order to make sure of this proposition, because unforeseen difficulties in enterprises of this kind often arise.

The CHAIRMAN. I do not think there is anything more that the committee cares to hear to-day. At the next meeting we will take up the report of the engineers.

The committee thereupon adjourned.

House and Senate reports, Fifty-sixth Congress, second session, on Baltimore and Potomac Railroad Company.

GRADE CROSSINGS OF THE BALTIMORE AND POTOMAC RAILROAD COMPANY IN THE DISTRICT OF COLUMBIA.

DECEMBER 14, 1900.—Referred to the House Calendar and ordered to be printed.

Mr. MUDD, from the Committee on the District of Columbia, submitted the following

R E P O R T.

[To accompany S. 1929.]

The Committee on the District of Columbia, to whom was referred the bill (S. 1929) to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company, in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate certain parts of its railroad thereon, and for other purposes, have given careful consideration to the measure, and report it back to the House with the recommendation that it do pass with the following amendments:

Page 1, line 9, strike out the word "Eighth" and insert in lieu thereof the word "Eleventh."

Page 1, line 11, after the word "for," insert the words "not less than," and after the word "two" insert the words "nor more than four."

Page 5, line 18, after the word "the," at the end of the line, add the words "time fixed for the."

Page 9, line 8, insert the word "it" after the word "as" where it appears before the word "now."

Page 11, line 2, strike out the semicolon where it appears after the word "public" and insert the word "and."

Page 11, line 6, strike out the semicolon where it appears after the word "passageways" and insert in lieu thereof a period; also at the end of said line strike out the word "and."

Page 11, line 7, strike out the small letter "a" in the word "all" and insert a capital "A."

Page 13, line 10, after the word "Columbia" strike out the period and add the following: "and the United States, as hereinbefore provided."

Page 13, line 19, after the word "Columbia," strike out the period and insert a semicolon, and add the following:

Provided, That in every case in which an assessment of the damages or an award shall have been returned by the appraisers, the company, upon paying into court the amount so assessed or awarded, may enter upon and take possession of the land and property covered thereby irrespective of whether exceptions to said assessment or award shall be filed or not, and the subsequent proceedings shall not interfere with or affect such possession, but shall only affect the amount of the compensation to be paid.

Page 14, line 18, after the word "therefor" and the parenthesis, add the words "and its successors."

Page 14, line 23, strike out the word "Railroad" and insert in lieu thereof the word "Railway."

Page 14, line 24, after the word "Company," add the words "and its successors."

Page 14, line 25, after the word "traffic," add the following: "and for its other corporate purposes."

Page 16, line 2, after the word "Company," add the words "or any other party."

Page 16, lines 20 and 21, strike out the word "reasonable," in line 20, and also the following: "agreed upon between the companies or."

Page 16, line 21, strike out the word "street" at the end of the line.

Page 16, line 22, strike out the word "railroad" and insert in lieu thereof the following: "Washington, Alexandria and Mount Vernon Railway Company." Also at the end of the line, after the word "permitted," insert the words "and required."

Page 17, line 4, after the word "bridge," insert the following: "and no dynamo furnishing power to this portion of the road shall be in any manner connected with the ground."

These amendments are recommended for the purpose of more clearly indicating the view of the committee with reference to the division of the costs between the railroad company and the District of Columbia and for effectuating the general purposes of the bill.

The committee have not felt called upon to enter upon any discussion as to the removal of the main passenger station of this company to a point in the southern section of the city below the Mall. That is an old subject-matter which has been thrashed over in the public press and in the discussions of Congress in previous sessions. In the judgment of the committee the business interests of the city, the convenience of the traveling public, as well as a practically unanimous public sentiment, are united in opposition to any such removal.

An exhaustive and elaborate report was made on this measure in the Senate by Mr. McMillan, and it is incorporated and adopted as a part of this report.

Senate Report No. 928, Fifty-sixth Congress, first session.

GRADE CROSSINGS OF THE BALTIMORE AND POTOMAC
RAILROAD COMPANY IN THE DISTRICT OF COLUMBIA.

APRIL 10, 1900.—Ordered to be printed.

Mr. McMILLAN, from the Committee on the District of Columbia,
submitted the following

R E P O R T.

[To accompany S. 1929.]

The Committee on the District of Columbia, to whom was referred the bill (S. 1929) to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company, in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes, report the bill back to the Senate with certain amendments and recommend its passage.

For ten years the subject of eliminating grade crossings along the line of the Baltimore and Potomac Railroad and providing enlarged terminals has been agitated both in Congress and among the people of the District. The rapid increase in the Southern business of the railroads, the increasing size of the crowds of people who come to Washington on special occasions, and the natural growth of the city itself, all have combined to make the present terminal facilities of the Baltimore and Potomac Railroad inadequate to the point of discomfort of passengers and undue expense on the part of shippers. The crossing at grade of two great street railway lines and of many much-used streets has been the source always of delay and apprehension, often of loss of life. The press of the city, the representative bodies of citizens, and the public generally have repeatedly and unanimously called for a change in the location of the tracks of this company, and this committee has long been working on plans to meet a situation constantly growing more and more embarrassing.

There has been no reluctance on the part of the railroad company to meet the desires of Congress and of the people of the District. On the contrary, the highest officers of the Pennsylvania Railroad have recognized fully the importance and desirability of placing their Washington terminals in a condition not only to meet the fast-growing business, but also to make them worthy of the capital city of the United

States. The one great thing that stood in the way of an adjustment was the engineering problem. The railroad regarded as a physical impossibility an overhead structure and the elevation of its tracks, while the District authorities opposed sinking the tracks, or at least were not able to work out the change in a way satisfactory to the engineers of the railroad.

THE ENGINEERING PROBLEM.

After repeated failures to handle the engineering features of the plans in such a way as to commend them for presentation to Congress, Capt. William M. Black, while Engineer Commissioner of the District, devised a plan of combining the depressed and overhead systems, according to the topography of the region through which the lines passed. This solution immediately commended itself to both the people and the railroad, and there is now no difference opinion as to the proposed method of eliminating grade crossings along this line. Called to the war with Spain, Captain (now Major) Black, left his plans to be completed by his successor in the Engineer Commissionership, Capt. Lansing H. Beach, on whom has devolved the arduous and exacting duty of making those adjustments with the railroad engineers by means of which the bill has been brought to a point as near perfection as can reasonably be expected in a measure containing so many details, and therefore such a wide range for difference of opinion on minor points. The committee have no hesitation in saying that in so far as the elimination of grade crossings is concerned no better plan will ever be proposed.

There are several questions not of an engineering nature that have demanded care and attention, and in all such matters the civilian members of the Board of Commissioners, Hon. John B. Wight and Hon. John W. Ross, have labored earnestly and successfully to make such adjustments as were needed to protect the interests of the United States and of the District. The officer in charge of public buildings and grounds, Col. Theodore A. Bingham, and the officer in charge of the Potomac Park improvements, Lieut. Col. Charles J. Allen, acting under the direction of Brig. Gen. John M. Wilson (whose knowledge of and interest in the District of Columbia have been lifelong), have also submitted for the guidance of the committee valuable reports as to the use and occupation of the lands committed to their charge. While in some instances the committee has been unable to agree with these officials, in the main their recommendations have been followed, and in all cases their views have had careful consideration.

GARFIELD PARK.

After much discussion of the proposition to straighten the lines of the railroad by allowing the occupation of a small portion of Garfield Park, the committee is of the opinion that such occupation is imperative in order to prevent the continued loss of life at the so-called Dead men's Curve, at the western end of the tunnel under K street SE. The improvements contemplated will protect the lives of persons using the park, while the additions to the park spaces already made and in contemplation will allow the proposed diminution of Garfield Park to be made without any real curtailing of the parks in a section that must

of necessity be given over largely to business purposes. While such use has met with objection from a considerable number of the people living in proximity of that park, it has also been favored by property owners thereabouts, and the committee is convinced that the proposed change will greatly improve the property conditions in that neighborhood. Such also is the view of the District Commissioners, who have given the matter careful consideration.

THE MALL.

The continued and enlarged occupation of the Mall is also a subject which has received much attention. As the District Commissioners point out (p. 12), the location of the railroad within the Mall was made by the board of aldermen and the common council of the city of Washington on March 23, 1871, which location was confirmed by act of Congress approved May 21, 1872. The city has adjusted itself to these conditions and to disturb them now would be not only to a practical impossibility, but also would be, in the opinion of the committee, highly undesirable. By virtue of the proposed changes this occupation will be greatly improved so far as sightliness is concerned, and as a result the visitor to the National Capital will not only be landed near to the heart of the city, but also his first impressions of the city will be of the pleasantest possible character.

It is proposed to remove the tracks of the railroad from Sixth street and to open that thoroughfare to public travel, and, in order to accommodate both the road and the public, to widen B street in front of the present station so as to make there a broad plaza. Then a new and commodious passenger station is to be constructed in such a manner as to make the building one of the architectural features of the Capital. This station building will cost the company about a million and a half of dollars. From the station the tracks are to run on an elevated structure in a southerly direction to join the main lines of the company on Virginia and Maryland avenues, and provision has been made for carrying the proposed new avenue underneath the tracks by arches having a combined width of 200 feet, an architectural feature that can be made to add beauty to the new thoroughfare. Indeed, so far as sightliness is concerned the proposed changes will add greatly to the beauty of that portion of the Mall.

If it were possible to accommodate the public without the road crossing the Mall the committee would be glad to recommend such a plan. When the Mall was laid out the only land travel was by horses, and to accommodate this streets were opened across that park. The invention of the railroad, both steam and street, has made it quite as necessary to provide for such travel, and the only thing to be demanded is that such crossing shall be made with the least inconvenience and unsightliness. The pending measure provides for both of these considerations.

FISH COMMISSION BUILDING.

The proposed straightening of the lines and the removal of the tracks from Sixth street involves the removal of the Fish Commission building, and this change the committee proposes that the railroad company shall pay for, placing the limit at \$40,000, which is believed to be a greater sum than will be necessary.

WATER STREET AND POTOMAC PARK.

The bill as introduced proposed tracks on Water street and the use of a strip of land 500 feet wide across the Potomac Park, between the Washington and Virginia channels of the Potomac. The Commissioners recommended that these provisions be stricken out, and in these recommendations the committee concur.

LONG BRIDGE.

The engineer officers of the Government recommend that there shall be but one bridge across the main, or Virginia, channel of the Potomac, and the railroad people prefer two bridges. So strong is this preference on the part of the railroad company that it is willing to build the second, or highway, bridge for the sum that the District and the Government would be required to pay as their proportionate sum for a single bridge—that is to say, the railroad company would pay the difference in the cost between one and two bridges.

This question was taken up at length by the committee. A conference was held with Mr. William H. Brown, the chief engineer of the Pennsylvania railroad; Lieutenant-Colonel Allen, in charge of the Potomac Flats improvements, and Captain Beach, the Engineer Commissioner of the District. After a full consultation the committee unhesitatingly report in favor of two bridges, as providing greater safety to life and property. The obstruction to navigation caused by two bridges is not to be considered, when it is remembered that the number of times the draws will be operated will average less than one a day.

The following memoranda in regard to the cost of the bridges is of interest and value:

MARCH 27, 1900.

DEAR SIR: We send you herewith a blue print showing the cross section of a combined bridge over the Potomac River, and also a blue print of our plan No. 7078, showing the highway bridge built parallel with and 260 feet above the proposed new railroad bridge across the Potomac River.

You will notice that the cost of the causeway on the north end of the river, across the park, will be the same for either plan, because the present wagon road will be entirely covered up by the embankment that it will be necessary for us to build to carry the railroad. We make comparative estimates of the cost of the two plans as follows:

For parallel bridges 260 feet apart (plan No. 1).

Causeway at north end:

33,900 cubic yards embankment, at 50 cents.....	\$16,950
11,560 square yards stone paving, at \$2.....	23,120
100 linear feet bridge superstructure over outlet lock, at \$80	8,000

River bridge:

1,750 linear feet bridge superstructure, 250-foot spans, at \$110.....	192,500
400 linear feet bridge superstructure, 200-foot spans, at \$90.....	36,000
250 linear feet drawbridge, at \$200	50,000
Machinery for drawbridge	5,000
2,400 linear feet I-beams and buckle plates for asphalt floor at \$30.....	72,000
8,000 square yards asphalt, at \$2.50.....	20,000
5,670 cubic yards masonry in 9 piers, at \$12.....	68,040
1,822 cubic yards masonry in 2 abutments, at \$12.....	21,864
1,840 cubic yards masonry in draw pier, at \$12.....	22,080
1,200 linear feet pile guard through draw, at \$20.....	24,000

Causeway at south end:

26,250 cubic yards embankment, at 50 cents.....	\$13,125
3,500 square yards paving, at \$2.....	7,000
Total	579,679

For combined railroad and wagon road bridge (plan No. 2).

Causeway at north end:

33,900 cubic yards embankment, at 50 cents.....	\$16,950
11,560 square yards stone paving, at \$2.....	23,120
100 linear feet bridge superstructure over outlet lock, at \$80.....	8,000
1,750 linear feet bridge superstructure, 250-foot span, at \$110.....	192,500
400 linear feet bridge superstructure, 200-foot span, at \$90.....	36,000
250 linear feet drawbridge, at \$200.....	50,000
One-half machinery for 4-track draw, at \$8,000.....	4,000
2,400 linear feet I beams and buckle plates for asphalt floor, at \$30	72,000
8,000 square yards asphalt, at \$2.50.....	20,000
9,963 cubic yards masonry in 9 piers, at \$12.....	\$119,556
3,644 cubic yards masonry in 2 abutments, at \$12.....	43,728
4,800 cubic yards masonry in draw pier, at \$12	57,600

Total cost of combined masonry..... 220,884

One-half of this amount chargeable to road bridge.....	110,442
800 linear feet pile guard for draw, at \$20	16,000

Causeway at south end:

24,000 cubic yards embankment, at 50 cents.....	12,000
3,500 cubic yards paving, at \$2	7,000

Total

568,012

Difference

11,667

Respectfully submitted.

Wm. H. BROWN,
Chief Engineer.

Capt. LANSING S. BEACH,
Engineer Commissioner, Washington, D. C.

LOCATION OF BRIDGES.

The question as to whether there should be two bridges across the Potomac in place of the present Long Bridge is one which should be determined upon the basis of the relative value of the commerce passing up and down the river and that passing across it at the point in question. The railroad desires to have wagon traffic removed from the railroad bridge on the ground that in spite of all precautions runaways and similar accidents are certain to occur due to proximity of trains. Mr. Brown, the engineer of the road, states that at least seven people already have been killed on the Long Bridge by such accidents.

The officer in charge of the river and harbor improvements of this District claims that the interests of navigation would be best served by one bridge; that one draw would form less obstruction than two, and also that there would be less liability of an ice gorge forming with one bridge. The only records which have been kept concerning the number of times the draw has been swung have been kept by the Pennsylvania Railroad Company. They report that during the calendar year 1899 the draw was opened 6,290 times, the number of vessels passing through being 13,130, of which 7,326 were steam vessels, and 5,804 vessels of other kinds.

It is believed that almost the entire amount of this commerce is due to the handling of scows carrying sand, etc. As far as can be ascer-

tained the number of masted vessels that entered at Georgetown and Washington above the bridge during 1899 was not over 150, so that if the bridge were given a greater height it would be very seldom necessary to operate the draw.

The largest tug belonging to the port of Washington has the top of its pilot house 17 feet above the water, with an ornamental eagle on top of the pilot house 2 feet high. A number of tugs come to this port during the season from Baltimore, and it is believed that they are somewhat larger. High tide would diminish the clearance to some extent, but it is believed that if the bridge were put at an elevation of 24 feet above low water the tugs which would be apt to use these waters could go under at all ordinary stages without requiring the draw to be opened. This would require, of course, that the smokestacks be hinged—a thing which could be very easily done.

There is considerable force in the objection that two bridges would tend to cause an ice gorge, although the ice in the upper river is badly broken up by coming over the Little and Great Falls. Gorges have occurred, however, owing to the movement of the tides, and the ice between the two bridges would be less apt to move than that at other points, and floating ice would be apt to pass underneath and lodge, forming a gorge.

While two bridges placed so close together that a vessel entering the line of guide cribs or piles of one draw would enter the guide cribs or piles of the other draw therefrom would be less obstruction to navigation than if the bridges were farther apart, it is believed that if they were as close together as this the ice would hold more strongly and there would not be room between them to handle a tug so as to break up the ice. If they were removed to a distance of about 1,000 feet apart there would be room between them for a vessel to run back and forth to break up the ice, thus checking any tendency to gorge.

Owing to the fact that all wagon travel from the south has to cross the bridge at present provided at Roachs Run, the wagon bridge could be placed as much as 1,000 feet upstream from the railroad bridge without really increasing the distance to be traveled by teams, except those which start between Roachs Run and the south shore of the bridge.

COSTS.

It is the general rule that where changes are made to eliminate grade crossings one-half the expense shall be paid by the public and one-half by the railroad. The bill under consideration proposes an expenditure of not less than \$6,000,000, \$1,500,000 of which sum is for the new station, and therefore would not come into the division of costs. Some other items also belong to this category; but the cost of changes which in other cities would be subject to division amount to not less than \$4,000,000. The rule adopted in this case is that the railroad company shall pay all the costs of changes, both of bridges and of excavations, within its right of way and that the District and the Government shall be responsible for land damages and for building the approaches. The District Commissioners estimate the land damages at less than \$50,000 and the cost of approaches at \$200,000. The entire money cost to the public for making these very necessary changes will be \$250,000. This is exclusive of the bridge, which should be

rebuilt under any circumstances. Adding the cost of the bridge (\$568,000), the entire amount of money expense will be \$918,000.

In addition to this should be added \$162,000 for 270,000 square feet taken from Garfield Park, at 60 cents a foot, and \$910,000 for 364,000 square feet of Mall (in addition to the portion already occupied), at \$2.50 a square foot. This would make the entire cost to the public \$1,890,000, of which, as has been stated, the money cost will be less than \$1,000,000, the payment of which sum will be extended over five or six years.

REPORT OF THE DISTRICT COMMISSIONERS.

The details of the proposed changes have been set forth fully in the report of the District Commissioners, printed herewith. Other reports and documents helpful in obtaining a clear idea of the subject are given below.

CONCLUSION.

In conclusion, the committee would state its entire confidence that the legislation proposed in the bill as amended is as satisfactory as can be hoped for. There has been the most complete cooperation between the Commissioners of the District and the officials of the railroad.

The railroad company has been willing and anxious to revise and improve its terminals and to enlarge its facilities for doing business. It has met the Commissioners and the committee halfway in all the negotiations, and as a result there is no opposition to the general theory of the bill, nor are there any considerable number of persons—indeed, the committee knows of no single individual—who would prefer to have no change rather than to have the present measure passed. There has been a remarkable unanimity among the people of the District in favor of the bill, and it is safe to say that should it become a law it will prove a satisfactory and permanent solution of the grade-crossing problem along the lines of the Baltimore and Potomac Railroad Company.

REPORT OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, February 6, 1900.

SENATOR: The Commissioners have the honor to submit the following on S. 1929, Fifty-sixth Congress, first session, to eliminate grade crossings on the Baltimore and Potomac Railroad in the city of Washington, and for other purposes, referred to them by your committee for report:

PRESENT CONDITIONS.

At present the tracks of the Baltimore and Potomac Railroad enter the city at the foot of Pennsylvania avenue SE., pass along the Anacostia River front to square 1067; thence through squares 1067, 1048, and 1024 into Virginia avenue at Eleventh street; thence by tunnel along Virginia avenue to Seventh street east; thence in the open through K street to Canal street; along Canal street and the south side of Garfield Park, by four tracks, crossing square E 642 to Virginia avenue just east of Delaware avenue; thence along Virginia avenue to its intersection with Maryland avenue, and along Maryland avenue to the river.

The passenger station is situated upon the portion of the Mall known as Armory Square and is connected with the main line by a spur, forming a "Y." From the east the branch runs up Sixth street from Virginia avenue, and from the west the branch continues along from the main line on Maryland avenue to Sixth street, thence north to the station. The tracks and station on Armory Square occupy 129,000 square feet of land. The occupation is authorized by act of Congress approved May 21, 1872. The tracks on Sixth street, connecting the station with the main line, practically close Sixth street to vehicle traffic. The west side of Sixth street is inaccessible to vehicles.

There is a railroad yard, at grade, adjoining Garfield Park on the southwest, into which children playing in the park might easily wander.

With a few unimportant exceptions every street crossing along the line of the road within the city limits is at grade, subject to the delays, inconveniences, and dangers that notoriously attach to this class of crossing. The exceptions referred to are the crossings from Seventh to Eleventh streets SE., under which the road passes through a tunnel, and the driveway over the road just northeast of the Fish Commission building, which is highly objectionable on account of its steep approaches and narrowness.

The present Long Bridge is notoriously unsightly, inadequate, and obstructive of the flow of the Potomac.

The freight and passenger terminals of the company are very unsatisfactory. The facilities for handling freight are entirely insufficient, which insufficiency has a direct and material bearing upon the price of every commodity coming into the city by freight. The passenger terminal is too small even for the ordinary volume of business and is utterly inadequate when important events attract unusual crowds to the city. A prominent railroad president remarked to the Commissioners several years ago that Washington was shunned as a convention city on account of the inability of the railroads to handle crowds here under existing conditions. These conditions have been recognized by Congress periodically, as, for instance, on inaugural occasions, when authority has been given for the temporary construction of additional tracks.

The business of the city has outgrown the railroad facilities, and a congested condition has resulted which is a daily cause of loss, inconvenience, and danger, both to the railroad company and the public.

OBJECT OF THE BILL.

The bill has for its object the correction of these conditions, its principal propositions being:

(1) To eliminate grade crossings along the line of road within the city limits by (a) closing certain crossings; (b) by carrying certain streets over the railroad on bridges; (c) by carrying the railroad over certain streets on a viaduct; (d) by changing the route between Eighth street SE. and Delaware avenue, passing underground by means of a tunnel along the line of Virginia avenue.

(2) To enlarge the present passenger terminal of the company, occupying an additional strip of the Mall 190 feet wide, on the west of its present station, and to erect on said strip and the present site (combined width 340 feet) a modern station building.

(3) To authorize the company to acquire additional property for freight and yard purposes.

(4) To reconstruct the Long Bridge and to construct in addition thereto a new and separate bridge for vehicles and pedestrians.

CROSSINGS TO BE CLOSED.

The bill proposes to close the following crossings to street traffic: F street SW., at Virginia avenue; E street SW., at Virginia avenue; D street SW., between Four-and-a-half and Sixth streets; C street SW., between Sixth and Seventh streets.

These crossings strike the railroad diagonally at an awkward angle. It is proposed to provide convenient crossings within a square or less of each of the points named. An examination of the map will show what a great length of tunnel would be necessary to carry these streets under the railroad viaduct, owing to the angle at which they intersect. On account of the position of adjacent streets practically no interruption of street travel will result from closing the crossings.

The bill also proposes to vacate to the uses of the railroad portions of streets as follows:

Canal street between South Capitol street and New Jersey avenue. This space is now completely occupied by railway tracks, as before stated. It is bounded on the north by Garfield Park and on the south

by squares 695, W. 695, and NW. 695. Squares 695 and W. 695 are owned by the company, having been acquired under authority of act of Congress approved January 19, 1891. They are, together with square NW. 695, fully occupied by railroad yards, roundhouses, etc. Under existing conditions the street is inaccessible to vehicles, so that its abandonment will not result in any abridgment of street travel.

G and H streets SE. between South Capitol street and New Jersey avenue. G street is between square NW. 695 and the main line of the road in Canal street; H street is between squares NW. 695, W. 695, and 695, all of which are owned and occupied as stated in the preceding paragraph. These portions of G and H streets are now closed on the east by the tracks in Canal street, so that no through travel passes over them, and the abutting property on each side is controlled by the company. No abridgment of street travel would result from their being closed.

Virginia avenue, south side, between Second street and Four-and-a-half street SW. This portion of Virginia avenue is bounded on the north by the main tracks of the railroad and on the south by squares 537 and square north of 583, both of which are owned by the company; at present they are vacant, although in all probability sidings will be eventually run in. The street space on the north side of the avenue, within the limits named, is ample to care for all street traffic and can be reached without inconvenience.

Virginia avenue, north side, between Four-and-a-half and Seventh streets. This portion of the avenue is bounded on the south by the main tracks of the company and on the north by squares 493 and south of 463 and a small triangular reservation. The bill carries authority to acquire these squares by purchase or condemnation. The west half of 493 is now occupied by the company for freight purposes; the east part of square S. 463 is occupied by the Adams Express Company; sidings run into each of them. The street space on the south side of the avenue within the limits named is ample to care for all street traffic and can be reached without inconvenience. The holdings of the company in square 493 were acquired under act of Congress approved January 19, 1891.

Maryland avenue, south side, between Ninth and Tenth streets. This portion of the avenue is bounded on the north by the main tracks of the company, and on the south by square 386. This square, which is owned by the company; is occupied as a freight station. It was acquired under authority of act of Congress approved January 19, 1891. Sidings now cross the street and run into the square. The street space on the north side of the avenue within the limits named is ample to care for all traffic and can be reached without inconvenience.

Maryland avenue between Twelfth and Fourteenth streets, Thirteenth and Thirteen-and-a-half streets between D and Water streets SW., and E street SW. between Twelfth and Water streets. These spaces are bounded by squares 267, 268, 298, SE. 267, 269, 270, 299, and 300. Squares 267, 268, and 298 are owned and occupied by the company; squares 269 and 300 are held by the Southern Railway; square 299 is owned partly by the Southern Railway and partly by private parties. This section is at the north end of the Long Bridge, where the railroad enters the city from the south. The squares and portions of the streets named are now largely occupied by the tracks and sidings of the associated lines. The streets are practically closed to traffic, except such as is incident to the handling of freight.

STREETS CARRIED OVER THE RAILROAD.

The following-named streets will be carried over the railroad on bridges, the depression of track, elevation of bridge, and grade and length of approach being given below:

Street.	Depres-sion of track.	Eleva-tion of bridge.	Grade and length of approach.			
			North.		South.	
			Per cent.	Length.	Per cent.	Length.
6th, SE.....	Feet. 14.8	Feet. 5.2	1.4	Feet. 220	5.5	Feet. 240
5th, SE.....	20					
4th, SE.....	22					
3d, SE.....	22					
2d, SE.....	20.3					
New Jersey avenue.....	10	10	3	200	3	410
9th, SW.....	2	18	7.5	175	6.4	250
10th, SW.....	14.2	5.8	3.4	280	2.5	300
11th, SW.....	20					
12th, SW.....	20					

STREETS CARRIED UNDER RAILROAD.

The following-named streets will be carried under the railroad, the elevation of track, depression of street, and grade and length of approach being given below:

Street.	Eleva-tion of track.	Depres-sion of street.	Grade and length of approach.			
			North.		South.	
			Per cent.	Length.	Per cent.	Length.
South Capitol.....	Feet. 13.3	Feet. 3.2	2.6	Feet. 130	1.6	Feet. 130
Delaware avenue.....	17.7					
1st, SW.....	17.7					
2d, SW.....	16.5					
3rd, SW.....	15	1.5	1.5	80	1.5	80
4 th , SW.....	16.5					
6th, SW.....	14	2.5	0.5	150	2.2	175
7th, SW.....	8.6	7.9	2.5	300	2.8	300
Maryland avenue.....	15.6					
B, SW.....	16.3					
West Capitol.....	18.4					
Water.....	5.35	10.65				

THE TUNNEL UNDER AND ALONG VIRGINIA AVENUE.

By taking the road off K and Canal streets SE., and placing it in a tunnel along the line of Virginia avenue, it is believed that a great improvement will be accomplished. This would not only practically abolish grade crossings, but would remove the railroad from view in the southeastern section of the city. The road would be invisible between New Jersey avenue and Eleventh streets SE., K and Canal streets would be relieved of railroad tracks east of New Jersey avenue and entirely restored to the use of the public, an awkward elbow would be taken out of the line and the distance would be shortened. From an engineering standpoint the proposed route is incomparably better than the existing one.

Serious objection has been raised to this proposition, however, because, it has been stated, it will destroy Garfield Park. The area of

the park is 23.98 acres; 6.20 acres would be taken by the railroad under the provisions of the bill, leaving 17.78 acres still available for park purposes. The park would not be destroyed by any means. By far the better and larger portion of it would be preserved, and, owing to the removal of the tracks from grade, it would be so protected that children could play in it without danger. At present, as before stated, the tracks lie along the south edge of the park and at the same grade, constituting an exceedingly dangerous condition if children are permitted to play there without supervision.

While a portion of the park would be taken, the advantages to the public of the proposed change are so many and great that they are believed to far outweigh the disadvantages and sufficient to warrant an approval of this portion of the bill.

THE PROPOSED PASSENGER STATION.

The bill proposes to grant the company a strip of the Mall 190 feet wide in addition and to the west of its present holdings. This would give the company a strip of the Mall 340 feet wide lying immediately west of Sixth street and between B street south and B street north. Sixth street would be entirely cleared of railway tracks, provided with a modern pavement at the expense of the company, and fully restored to the use of the public. B street between Sixth and Seventh streets would be widened on the south to a width of 175 feet, and Seventh street would be widened on the east to a width of 220 feet. On the square fronting this broad plaza an imposing station would be erected, within easy reach of the street railway lines, on which passengers may reach almost any portion of the District of Columbia for the payment of a single fare. The tracks would enter the station from the south on an elevated structure. This viaduct would be much less obstructive than the surface tracks now existing, and instead of the narrow bridge with steep approaches now crossing the tracks in the Mall, West Capitol street (so called) would be carried under, at grade, through a substantial arch 50 feet wide provided with paved roadway and sidewalks.

The need of a new passenger station is so apparent that argument on the subject is believed to be unnecessary. The main question, therefore, is: Shall the station be enlarged at the present locality, or shall a new one be built elsewhere?

The only reason for moving the station is the clearance of the Mall. To clear the Mall the present station and all tracks leading to it must be removed entirely and a new terminal established somewhere in South Washington. The new location must be, of necessity, farther removed from the heart of the city and situated at a place more inconvenient of access to the street railways, where the average cab drive would be longer and more expensive, and a longer haul necessary for the delivery of mail, baggage, and express. Would the clearance of the Mall compensate for these new disadvantages?

The present station was established under authority of an act approved March 23, 1871, by the board of aldermen and common council of the city of Washington, at a time when the people were supposed to have a voice in the affairs of the District government. It is therefore assumed that this location was the choice of the people at that time. This action was confirmed by the act of Congress approved May 21, 1872, since which time the company has been in

quiet possession. The advisability of requiring a change of location at this time is left to the wisdom of Congress.

ADDITIONAL PROPERTY FOR FREIGHT AND YARD PURPOSES, ETC.

In addition to the property hereinbefore referred to, the bill proposes to authorize the company to acquire the following:

The east 340 feet of square 462, squares 463 and S. 463. These squares lie between Virginia avenue, B, Sixth, and Seventh streets SW. They are desired for the purpose of clearing Sixth street of tracks and for securing a more direct entrance to the proposed station, and for other railroad purposes. It is recommended that authority to acquire them be granted. The company should be required to acquire all of square 462, and the Commissioners so recommend.

Square 493. About half of this square is now owned and occupied by the company. It is used as a freight station. It is recommended that authority be granted to acquire the remainder of the square.

Squares south of the present main tracks between South Capitol, First, and M streets SE. These squares are in a sparsely built-up section; the assessed value of the land ranges from 30 cents a square foot down; the assessed value of the improvements on them all aggregates less than \$40,000. It is recommended that the company be authorized to acquire them as proposed by the bill. If such authority is granted, I street SE., between First and South Capitol streets, should be closed. Within said limits it would be entirely surrounded by railroad property, and no through travel passes over it on account of its being closed by existing tracks in Canal street.

Property on Water street west of Seventh street SW., said property to be connected with the main line by tracks in Water street. The Commissioners are of the opinion that tracks on the north side of Water street would not be close enough to the wharves to permit handling goods directly between cars and vessels, and a wagon haul from rail to water would thus be necessary. They further believe that the establishment of surface tracks along the entire water front is something not demanded by the city's commerce at the present time, nor is there any prospect of their being required soon. They therefore recommend that this portion of the bill be stricken out.

A 500-foot strip of land on the southeasterly side of the road between the main channel and the Washington channel of the Potomac. The Commissioners recommend that this portion of the bill be stricken out.

NEW BRIDGE OVER THE POTOMAC.

Sections 11 and 12 relate to the construction of new bridges in place of the present Long Bridge. The Long Bridge is notoriously inadequate, and a modern bridge for railway and highway traffic is most urgently needed. This portion of the bill, however, pertains to the War Department and not to them, and they respectfully suggest a reference to the Secretary of War for his views concerning the matter.

DIVISION OF COSTS.

According to the bill the cost of the work is to be divided thus: The following is to be done at the expense of the company:

K and Canal streets shall be cleared of railway tracks and the streets restored to the use of the public.

All tracks are to be removed from Sixth street, a modern pavement laid, and the street restored to the use of the public.

D street SW. is to be widened 30 feet on the south side, between Twelfth and Fourteenth streets.

West Capitol street, so called, is to be carried under the railroad viaduct through an arch, and a pavement and sidewalks provided beneath said viaduct.

The cost of retaining walls, all structures in the right of way of the company, all bridges over the railroad, and all crossings under the railroad to be borne by the company, so far as the same are within its right of way.

The United States and the District of Columbia are to pay, in equal proportion, the following:

The cost of approaches where streets are carried under or over the right of way of the company.

All damages resulting from change of grade.

The United States is to pay for removing the Fish Commission building.

The Long Bridge project is not discussed in this report for reasons before stated.

As the Fish Commission building is not under the supervision or control of the Commissioners, they also deem it best not to go into the question of the cost of its removal, but to respectfully suggest a reference of the matter to the authorities having charge of same.

The provision that all damages to property shall be paid by the District of Columbia and the United States is objected to by the board of trade, who are of the opinion that they should be borne by the railroad company. On this point the Commissioners would state that as far as they have been able to ascertain, damages of this character have been paid generally by the municipalities in similar cases elsewhere, and they do not think that harsher terms should be imposed on the company here than have been imposed in other cities. As a matter of fact, a careful consideration of the features of the plan leads to the belief that the expense on this account will not be large, if there is any at all. The approaches to the crossing can be so constructed, it is believed, as not to produce any injurious effects to the adjacent property, and it is estimated that the amount of damages will not exceed \$50,000 at the utmost.

The estimated cost of building the approaches to the company's right of way is.....	\$200,000
The amount of damages is estimated to be	50,000
The amount of land taken in Garfield Park is 270,000 square feet, valued at 60 cents per square foot	162,000
The amount of land taken in the Mall in excess of that at present occupied is 364,000 square feet (not including street spaces), valued at \$2.50 per square foot.....	910,000

Making the total cost to the Government, excluding the bridge over the Potomac and the removal of the Fish Commission building.. 1,322,000
Of this sum there is paid in land 1,072,000

The actual money cost being:

Payable by the District of Columbia.....	\$125,000
Payable by the United States	125,000
	250,000

In the above statement the portions of streets abandoned to the uses of the railroad are not charged against the company for the reason that public travel will not be interfered with by such closure, there being no traffic over the portions closed except in connection with the railroad, and, of course, ample lines of ingress and egress for this purpose will be provided by the company. It would be an expense to the public to keep them open without any corresponding advantage, and it is believed that the company should be required to maintain and care for them at its own expense.

ACQUIREMENT OF NECESSARY LAND.

In cases where the company can not agree with the owners for the purchase of any land it is authorized to acquire, it is believed that power should be given it, where necessary, to take immediate possession of such parcels as may be needed upon filing with the court good and sufficient bond to insure the payment of its value when duly determined by the proper authorities. If this is not done, condemnation proceedings may delay seriously the execution of the work and add considerably to the time and difficulty of bringing about the desired improvements in the railroad situation.

SIDINGS INTO ADJACENT PROPERTY.

It is also recommended that the company be authorized, upon the petition of the owner or owners of any lot or lots adjacent to the line of its railway, to run branch tracks or sidings into such lot or lots, provided, of course, that no grade crossings are created thereby. It is believed that this policy would tend to develop the land lying near the railway into business property, instead of encouraging its being held for residence purposes, thus enhancing rather than depreciating its value.

TEMPORARY TRACKS.

Section 4 of the bill provides for the laying of temporary tracks in Sixth street. It is believed that the section should be of wider scope, so as to authorize the laying of temporary tracks along the route wherever demanded by the work of reconstruction, and it is recommended that the section be amended so as to give this very necessary authority, the work being subject, of course, to the control of the Commissioners.

AMENDMENTS.

In accordance with the suggestions contained in the report, the Commissioners recommend that the bill be amended as follows:

Strike out section 4 and in lieu thereof substitute the following:

SEC. 4. That if it should at any time be deemed necessary or advisable in the construction of the works herein authorized to lay temporary tracks on any street or avenue to accommodate the business of the Baltimore and Potomac Railroad Company pending the completion of such works, the company may lay such temporary tracks, subject to the approval and under the direction of the Commissioners of the District of Columbia, and shall remove the same and restore every such street or avenue to its former condition, to the satisfaction of said Commissioners, within sixty days after the completion of the works herein authorized.

Insert the following after line 23 on page 6: "I street southeast, between First and South Capitol streets."

Strike out lines 7, 8, 9, and 10, page 12, and insert in lieu thereof the words: "All of square four hundred and sixty-two."

Strike out the words "railroad yards," in line 14, page 12, and insert in lieu thereof the words "main tracks of the company."

Strike out all after the word "street," in line 16, page 12, down to the word "provided" in line 12, page 13.

Add the following to section 10 (p. 14):

And in case the company requiring such land and property wishes to take immediate possession of the same it may at the time of filing a description of the rights and interests intended to be appropriated, as provided in section six hundred and fifty of said Revised Statutes, file also with the clerk of the supreme court of the District of Columbia its bond to the owner or owners of such land and property to be appropriated, conditioned for the payment to such owner or owners of the damages for the taking thereof when the same shall have been ascertained according to the provisions of said sections of the Revised Statutes; and upon the filing of said bond, and the approval of the same by a judge of said court, the right of the company to enter upon the property to be appropriated shall be complete; and the amount of the bond, the sufficiency of the surety or sureties thereon, and the form thereof, shall be subject to the approval of one of the judges of the said court, and recovery may be had thereon for the amount of damages assessed if the same be not paid or can not be made by execution on final judgment in the condemnation proceedings. And it shall be lawful for said Baltimore and Potomac Railroad Company to extend and construct, from time to time, branch tracks or sidings from the lines of railroad authorized by this Act into any lot or lots adjacent to any street or avenue along which said lines of railroad are located, upon the application of the owner or owners of such lot or lots, to enable such owners to use their property for the purposes of coal, wood, or lumber yards, manufactories, warehouses, and other business enterprises: *Provided, however,* That no grade crossing of any street or avenue within the city of Washington shall be thereby created, but such connecting tracks shall be carried across such street or avenue in such manner as not to obstruct the free use thereof; and the plans of such connecting tracks shall in every case be first filed with and approved by the Commissioners of the District of Columbia.

Strike out section 14.

Insert the following before the word "That" in line 7, page 17:

That the property occupied by the Baltimore and Potomac Railroad Company under authority of this act, together with the improvements which may be put thereon, shall be subject to tax by the District of Columbia the same as other property in the District of Columbia: *Provided,*

Change the numbers of sections 15, 16, 17, and 18 to 14, 15, 16, and 17, respectively.

A copy of the bill containing these amendments is inclosed.

* * * * *

The question of abolishing grade crossings in the city of Washington has been agitated for the past twenty years without the accomplishment of material results. After a generation of waiting a measure has been framed which, with legislative sanction, bids fair at last to give the long-desired relief. If it does not receive such sanction, there is a possibility of the citizens having to wait a generation more without anything being done.

The railroad is now recognized, in a certain sense, as the lifeblood of a community. The communication of its citizens with the outer world and the transaction of its business depend upon it, and the prosperity of a city is linked with it.

Washington being the national capital, the amount of passenger traffic to and from it is greater than in other cities of several times its population, and the people throughout the country are interested in

the railroad that gives them access to the national capital. The plans, therefore, should be considered as national in character and treated in a broad-minded manner from that point of view, and such plans should be adopted as will serve the people of the nation for years to come, and not such as will require another change soon in order to properly accommodate travel or allow for the growth of the city.

Where interests conflict it is believed that the principle of the greatest good to the greatest number should be followed, and that individual preferences should not be allowed to stand in the way of securing such results as are proposed by the measure.

The conflicting interests have, it is believed, been harmonized as far as possible, and it is doubtful if they could be brought in as close accord again; and while the bill as recommended is not exactly what the Commissioners might prefer nor all that the railroad desires, it is believed to be one which will secure the support of as large a number of citizens as any other measure which could be framed; and, as the main object of avoiding grade crossings would be accomplished, the Commissioners recommend that the bill, with the changes suggested, be reported favorably.

Very respectfully, yours,

JOHN B. WIGHT,

JOHN W. ROSS,

LANSING H. BEACH,

Commissioners of the District of Columbia.

Hon. JAMES McMILLAN,

Chairman Committee on the District of Columbia, Senate.

**REPORT OF THE WAR DEPARTMENT ON THE BILL (S. 1929) TO
PROVIDE FOR ELIMINATING CERTAIN ROAD CROSSINGS ON
THE BALTIMORE AND POTOMAC RAILROAD.**

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, January 29, 1900.

SIR: I have the honor to acknowledge the reference to this office of a letter, dated the 22d instant, from the Senate Committee on the District of Columbia, inclosing Senate bill No. 1929—

to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company in the city of Washington, District of Columbia, and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes—

and requesting a report on the bill, so far as it relates to bridges across the Potomac River, and the parks under the jurisdiction of the War Department.

The legislation proposed in the bill touches the interests committed to the charge of the War Department in the following particulars:

1. By authorizing the appropriation by the Baltimore and Potomac Railroad Company of certain United States reservations in the city of Washington.

2. By authorizing a like appropriation of certain areas in Potomac Park.

3. By authorizing the destruction of the present bridge, known as the "Long Bridge," across the Potomac River, and the construction of two bridges in lieu thereof.

Regarding the first proposition attention is respectfully invited to the accompanying report, dated the 18th instant, from Col. Theo. A. Bingham, the officer in charge of public buildings and grounds, from which it will be seen that the area proposed to be taken by the railroad company for its own use amounts to $34\frac{1}{2}$ acres near the center of the city, and that the carrying out of the plans of the company will seriously affect the beauty and utility of additional areas.

I concur in the opinion of Colonel Bingham that this proposition is objectionable, and favorable action thereon is not recommended.

Regarding the second and third propositions, I beg to invite attention to the accompanying report of the 25th instant by Lieut. Col. Charles J. Allen, Corps of Engineers, the officer in charge of the improvement of Potomac River.

By the second proposition, contained in section 14 of the bill, the company is granted the use and occupation of a strip of land 500 feet in width and extending entirely across Potomac Park, an area of about 25 acres. Colonel Allen states that this area would include about 13 acres upon which the present Government contractor for dredging in

Potomac River is to deposit dredged material, and also a portion of land at present occupied by the Department of Agriculture for experimental or test purposes. He recommends that the section containing this provision be eliminated, in which I concur.

The third proposition is contained in sections 11 and 12 of the bill, the former requiring the removal, by the company, of the present "Long Bridge" and the building of a new railroad bridge in lieu thereof, and the latter requiring the construction, by the Secretary of War, of a new bridge for highway travel above the site of the present Long Bridge. Concerning this, Colonel Allen says:

The existence of two bridges across the Potomac River, as contemplated, would be objectionable from every point of view. Such an arrangement would be detrimental to navigation. The general line of highway travel should be maintained, and that would bring the two bridges close together. There would thus be delay and more danger to vessels in passing the two draws. * * * Two rows of piers across the stream, in close proximity to each other, would form a greater obstruction than would one row. A separation of the two bridges, sufficient to meet the needs of navigation, would require that they be distant from each other about 1,000 to 1,200 feet. That would not only necessitate a marked deviation from the present line for vehicular traffic, but it would also require the traversing of Potomac Park by draft wagons, etc., along a line considerably to the westward of the present causeway, and to the great detriment of Potomac Park.

Colonel Allen suggests that—

the case should be met by the construction of a combined railroad and highway bridge structure across the Virginia channel, the highway crossing Potomac Park at or about park grade, at a reasonable distance from the railroad track, and connecting with the spans and bridge across the Washington and Virginia channels by suitable inclines, the lowest part of the portion of Long Bridge across Virginia channel to afford a clear head room of at least 18 feet above mean low tide. * * * For the present causeway across the flats (Potomac Park) a viaduct of steel of open work and pleasing design should be substituted, in order to afford carriage way through it, and also a clear view through it of the park beyond the viaduct; and no greater width of park should be occupied by the viaduct or other portions of the bridge, or in connection therewith, than that necessary for the crossing of the two parallel tracks at the usual distance apart, as well as for the width of the inclines connecting the highway with the bridge, and for the usual stations for operating the track.

I am of the opinion that the construction of two bridges as contemplated by the bill is objectionable, and I concur in Colonel Allen's suggestion for the construction of a combined highway and railroad structure.

Colonel Allen submits a proposed substitute for section 11 of the bill, embodying his ideas as above expressed, which is commended for the favorable consideration of the committee.

The letter from the committee, with its inclosure, is herewith returned.

Very respectfully, your obedient servant,

JOHN M. WILSON,
Brig. Gen., Chief of Engineers, U. S. A.

Hon. ELIHU ROOT,
Secretary of War.

OFFICE OF PUBLIC BUILDINGS AND GROUNDS,
Washington, January 18, 1900.

GENERAL: Replying to indorsement from the office of the Chief of Engineers January 13, 1900, calling for report upon Senate bill 1929,

Fifty-sixth Congress, first session, which provides for abolishing certain grade crossings on the line of the Baltimore and Potomac Railroad Company in the District of Columbia, I have the honor to report as follows:

There are transmitted herewith—

1. A copy of Senate bill 1929, Fifty-sixth Congress, first session.
2. Copy of lithograph map published by this office in 1894, showing United States reservations in the District of Columbia, upon which has been indicated in red the route proposed to be followed by the Baltimore and Potomac Railroad in entering the city of Washington, as set forth in Senate bill 1929, Fifty-sixth Congress, first session.
3. Two tracings, showing on a large scale the highly improved parks which will be ruined should the proposed bill become law.
4. Copy of report of the District Commissioners on Senate bill No. 1702, Fifty-fourth Congress, first session (without illustrations).

The United States reservations invaded by the proposed bill (S. 1929) and the areas included are as follows:

No.	Square feet.
4. Armory Park (14 acres)	37,830
17. Garfield Park (part) (12 acres)	630
113. (2 acres) .	11,376
114.	10,428
115.	8,075
116.	4,625
117.	16,775
118.	14,414
119.	405
120.	4,032
121.	2,580
200.	10,098
287.	2,929
288.	11,462
289.	1,520
197.	4,402
198.	5,029
199.	4,132

About 34½ acres.

It will be observed that the area of Government property proposed to be taken by the railroad company for its own use amounts to 34½ acres in the center of the city. It is proposed to take about 12 acres off the area of Garfield Park, and what is left of that park would be practically ruined by the proximity of the railroad, because the proposed tunnel ends near the eastern extremity of the park, and the entire passage of the railroad through the park, together with the proposed yards at this point, would make this property very undesirable for the purpose of a pleasure ground.

It is also proposed to take over 14 acres out of the center of the "Mall." The "Mall" is a part of that great original reservation set aside by President Washington and the original commissioners for the establishment of a great and superb boulevard, to extend from the Capitol to the Washington Monument, and thence north to the President's house. This noble plan contemplated such a boulevard as exists nowhere else in the world, which was intended to be flanked on the north and south sides by public buildings, and has already been almost irreparably injured by permitting the Pennsylvania Railroad to run its tracks north on Sixth street to its present station. The admission of the railroad to the "Mall" is the main cause of the fact that the superb possibilities of the public park in the center of the city and south of

the Executive Mansion have never been realized. It is readily perceived that the presence of locomotives and trains of cars right across the middle of an area prevents its use for the purposes of a stately, highly improved, fashionable, and famous boulevard.

Considering that this park was specially reserved in the formation of the city by our immortal President Washington, it does seem unpatriotic, and even irreverent, that Washington's ideas should not be carried out, particularly as no local interests would be seriously damaged by keeping this area for the park it was intended to be; and the national interests—for this is not merely a town of local interest, but one which is the pride of our great nation—will be very much improved and advanced in the estimation of the entire country by keeping this area free from commercial encroachment. Further argument on this point is deemed unnecessary, as a simple inspection of the map carries its own argument.

Garfield Park also is one of the 17 original reservations set aside by President Washington and the early commissioners for the ornamentation of the National Capital. This park has been named after a President whose tragic death stirred the hearts of the entire world.

It is, in my humble judgment, the national interests and the interests of this city, as the capital of our great nation, and not merely the local commercial interests, which should govern the consideration of this entire question of railroad terminals within the District. The question of abolishing the grade crossings of railroads in the District of Columbia is a very serious and important one, and has been very ably discussed and solved to the satisfaction at least of those to whom the beauty of the national capital is the main question.

The report by the District Commissioners, made on Senate bill No. 1702, Fifty-fourth Congress, first session, under date of February 9, 1897, is, in the minds of unprejudiced readers, conclusive; the whole subject of grade crossings in the District is elaborately discussed, and the conclusions therein reached are those which will meet the approval of the entire country. The report of the Commissioners above mentioned not only elaborates the points which have been made above, but discusses a number of other vital points at stake in the settlement of this question. The plan therein proposed and called plan No. 5 is, in my humble judgment, the one which should be adopted.

I am not aware of the facilities needed by a railroad for terminals, but Washington will always be a residence city, and never a commercial metropolis; and the location for the Pennsylvania Railroad station suggested in plan No. 5 of the District Commissioners (above referred to) is the logical location, would preserve the historical "Mall," permit of the development and completion of Washington's original plan, and, so far as convenience of traffic is concerned, would merely require the laying of a few rails by the street railways.

It is earnestly hoped that those who have the decision as to this matter will take a broad view of the case, and not permit the beauty of our famous city to be irreparably injured.

Very respectfully, your obedient servant,

THEO. A. BINGHAM,
Colonel, U. S. A., Major, Corps of Engineers.

Brig. Gen. JOHN M. WILSON,
Chief of Engineers, U. S. A., Washington, D. C.

UNITED STATES ENGINEER OFFICE,
Washington, D. C., January 25, 1900.

GENERAL: I have the honor to submit the following upon sections 11 and 12 of Senate bill No. 1929, Fifty-sixth Congress, first session, and which were referred to me, by indorsement of the Chief of Engineers of the 19th instant, for early expression of my views and recommendations regarding the legislation proposed in those sections.

Section 11 requires the removal by the Baltimore and Potomac Railroad Company of the present Long Bridge across the Potomac River, and, in accordance with plans to be approved by the Secretary of War, the building by the same company of a new bridge in lieu of and on practically the same lines as the present bridge, said new bridge to be for railroad purposes only and to be adapted for two or more railway tracks, the Long Bridge to be removed and the new bridge to be constructed within four years from the date of the passage of "this act."

Section 12 provides for the construction, by the Secretary of War, within two years after the passage of "this act," across the Potomac River, at a point above the site of the present Long Bridge, of a new and substantial bridge for highway travel, of iron or steel, resting upon masonry piers and provided with suitable approaches and with a sufficient draw, all in accordance with plans and specifications prepared under his direction and by him approved.

Long Bridge was originally built by the Washington Bridge Company, the act of Congress of February 5, 1808, which authorized its construction, also authorizing the collection of tolls. At that time there was no causeway, as there is now, between the Washington channel and the Virginia, or main, channel. In 1831 the bridge was destroyed by a freshet. It was rebuilt under an appropriation for that purpose made in 1834. In 1840 the bridge was partly destroyed by a freshet and the sudden breaking up of ice. In 1843 it was repaired and again opened for travel. Congress, by act of June 21, 1870, authorized the Baltimore and Potomac Railroad Company to take possession of and extend its tracks across the bridge under certain conditions. The act in full is as follows:

CHAP. 142. An act supplementary to an act entitled "An act to authorize the construction, extension [extension, construction], and use of a lateral branch of the Baltimore and Potomac Railroad Company into and within the District of Columbia," approved February fifth, eighteen hundred and seventy [sixty-seven].

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Baltimore and Potomac Railroad Company be, and they are hereby, authorized and empowered to extend their lateral branch, authorized by the act to which this is a supplement, and by former supplements to said acts, by the way of Maryland avenue, conforming to its grade, to the viaduct over the Potomac River, at the city of Washington, known as the Long Bridge, and to extend their tracks over said bridge, and connect with any railroads constructed, or that may hereafter be constructed, in the State of Virginia. To effect these purposes the said Baltimore and Potomac Railroad Company are hereby authorized and empowered to take possession of, hold, change, and use the said bridge, and the draws connected therewith, in perpetuity, free of cost: *Provided*, That the said Baltimore and Potomac Railroad Company will maintain in good condition the said bridge for railway and ordinary travel; and the bridge shall at all times be and remain a free bridge for public use for ordinary travel: *And provided further*, That the said Baltimore and Potomac Railroad Company shall erect and maintain the drawbridges, so as not to impede the free navigation of the Potomac River, in efficient working condition at all times; and that, until such time as the needful changes are made to accommodate railroad and other traffic, as contemplated by this supplement, it shall be the duty of the said Baltimore and Potomac Railroad Company to repair without delay all damages to the present bridge and maintain it without cost to the United States:

Provided, That said railroad company shall give other railroad companies the right to pass over said bridge upon such reasonable terms as may be agreed upon, or Congress prescribe.

SEC. 2. *And be it further enacted*, That if the said Baltimore and Potomac Railroad Company shall at any time neglect to keep such bridge in good repair, and free for public use for ordinary travel, the Government of the United States may enter into possession of the said bridge; and Congress reserves the right to alter or amend this law.

Approved, June 21, 1870.

The bridge remains to-day the property of the Baltimore and Potomac Railroad Company by virtue of the act of Congress just quoted. By the term bridge is meant the entire structure from the Washington shore to the Virginia shore, including the causeway across the flats.

The reclamation of the flats in the Potomac River in front of Washington, generally known as the Potomac Flats, was fully authorized by the act of Congress of August 2, 1882, in the following words:

Improving the Potomac River in the vicinity of Washington with reference to the improvement of navigation, the establishment of harbor lines, and the raising of the flats, under the direction of the Secretary of War and in accordance with the plan and report made in compliance with the river and harbor act approved March third, eighteen hundred and eighty-one, and the reports of the Board of Engineers made in compliance with the resolution of the Senate of December thirteenth, eighteen hundred and eighty-one. * * *

The project approved by that act for the said reclamation and for improvement of the Potomac River at Washington has for its objects the improvement of the navigation of the river by widening and deepening its channels, the reclamation of the flats by depositing on them the material dredged from the channels, the freeing of the Washington channel, so far as it can be done, of sewage, and the establishment of harbor lines beyond which no wharves shall be built.

To accomplish these objects the channels were to be improved so as to have depths of 20 feet at low water. The flats above Long Bridge were to be filled in to a height of 3 feet above the flood plane of 1877; below Long Bridge the middle longitudinal line of the flats was to be filled to the same height, but the fill was to slope thence toward each channel so as to have a height of 6 feet above low tide at the margins of the fill. In order to purify the water in the Washington channel, cut off at its upper end from the Virginia, or main, channel, a tidal reservoir or basin was to be established above Long Bridge not less than 8 feet deep and provided with inlet and outlet gates of ample dimensions, automatically arranged for filling the reservoir on the flood tide from the Virginia channel and emptying it into the Washington channel to the level of low water at the ebb. An ample system of drainage for the reclaimed area was to be provided.

The project also provided for the rebuilding of Long Bridge at an early period during the progress of the improvement, with wide spans upon piers offering the least obstruction to the flow of water, and also for the interception of all sewage discharged into the Washington channel and its conveyance to the James Creek Sewer Canal; but neither of these two works was included in the estimated cost of the improvement, which was \$2,716,365. A revision of this estimate, made in 1897, places the cost at \$2,953,020.

A training dike on the Virginia shore was added in 1890.

The total amount expended on the improvement since August 2, 1882, is about \$2,217,480. The result has been an improvement of the Washington and Virginia channels so as to afford depths at low

water of about 20 feet and the reclamation of 621 acres, the average elevation of the reclaimed area above mean low tide of the Potomac being about 10 feet.

The reclaimed land incloses a tidal reservoir of 111 acres and a smaller one of about $7\frac{1}{4}$ acres, the total acreage of the reservoirs and of the reclaimed land being about $739\frac{1}{2}$ acres. The land thus reclaimed is very valuable. A portion of the northeasterly margin of the tidal-reservoir beach was set apart by Congress a few years ago for a public bathing beach. The reclaiming of the flats has disposed of the great injury to public health in that part of the city by converting what were large areas of submerged and partly submerged flats, covered more or less with rank growths of marine vegetation, and which collected refuse and sewage, into an area of elevated land capable of being turned into one of the finest city parks in the country.

Congress, by act of March 3, 1897, enacted as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the entire area formerly known as the Potomac Flats, and now being reclaimed, together with the tidal reservoirs, be, and the same are hereby, made and declared a public park, under the name of the Potomac Park, and to be forever held and used as a park for the recreation and pleasure of the people.

The reclaimed area (not yet entirely raised to the full height contemplated by the project, and not yet provided with the inlet gates) has, therefore, been for nearly three years a public park set apart for the pleasure and recreation of the people.

The necessity for rebuilding Long Bridge with broad spans, so as to provide better for the flow of water, has long been recognized; and in fact the reclamation of the flats and improvement of the Virginia channel have been carried on with the understanding that the bridge would, at an early day, be reconstructed so as to remove the obstruction to the passage of floods resulting from its piers and the slight elevation of its bottom chord above low water.

Long Bridge at present consists of three sections, as follows:

1. Commencing at the Washington shore is a double-track, two-span, plate-girder bridge, having a total length of 162 feet, across the head of the Washington channel. It replaces the wooden span of the old bridge. This part of the bridge was rebuilt by the Baltimore and Potomac Railroad Company in about 1891 and practically as part of a plan recommended in 1890.

The elevation of the base of the railroad rails across this part of the bridge is $20\frac{1}{2}$ feet above mean low tide. The highway at present crosses this bridge adjacent to the railroad.

2. A causeway of earth, between retaining walls of masonry, traversing the area of the reclaimed flats between the Washington and Virginia channels and about 2,000 feet in length, on which is laid a double-track railroad line. The elevation of the base of the rails along this causeway varies from 20 to 13 feet above mean low tide.

3. A bridge across the Virginia channel nearly 2,000 feet in length, which is the structure specifically referred to in sections 11 and 12 of the pending bill. This portion of Long Bridge consists of a wooden Howe truss bridge, reinforced by wooden arch beams. The spans number 13, each 135 feet in the clear, and one pivot drawspan 182 feet in length, affording two openings of about 70 feet in the clear each, only one of which is arranged for the passage of vessels. The extreme width of this part of the bridge, from out to out of trusses, is

about 40.4 feet. On the upstream or northwest side is a wagon road about 19 feet wide, but with no sidewalk; while on the downstream side is the single track of the Baltimore and Potomac Railroad, with a clear width between trusses of about 13.2 feet. The widths of wagon road and track are included in the width of 40.4 feet given above. The bridge spans rest upon masonry piers, built of an inferior quality of stone and resting upon pile and grillage foundations, the grillage being at the level of low tide. In order to protect these foundations from being undermined by river currents large quantities of riprap have been deposited about them, causing a series of immense mounds of stone extending across the river channel. The effect of the piers and riprap has been to reduce the natural discharge area of the river at this part of Long Bridge about 30 per cent.

The direction of the bridge is not normal to the present, the proposed, or even to the original direction of the river current, so that the piers, built at right angles to the line of the bridge, are not parallel to the direction of the current, but are more or less oblique to it, and become themselves, to greater or less extent, an obstruction to the flow of freshets. A further obstruction is reported to have arisen during the freshet of 1889, on account of the water rising to a height of about $2\frac{1}{2}$ feet above the lowest part of the superstructure, and which is only about 10.3 feet above mean low tide.

Recurring to the proposed new bridge or bridges; the existence of two bridges across the Potomac River, as contemplated, would be objectionable from every point of view. Such an arrangement would be detrimental to navigation. The general line of highway travel should be maintained, and that would bring the two bridges close together. There would thus be delay and more danger to vessels in passing the two draws. The two bridges being in close proximity to each other, objectionable features of a combined bridge across the Virginia channel would not be materially lessened.

Two rows of piers across the stream, in close proximity to each other, would form a greater obstruction than would one row. A separation of the two bridges sufficient to meet the needs of navigation would require that they be distant from each other about 1,000 to 1,200 feet. That would not only necessitate a marked deviation from the present line for vehicular traffic, but it would also require the traversing of Potomac Park by draft wagons, etc., along a line considerably to the westward of the present causeway and to the great detriment of Potomac Park.

The case should be met by the construction of a combined railroad and highway bridge structure across the Virginia channel, the highway crossing Potomac Park at or about park grade at a reasonable distance from the railroad track and connecting with the spans and bridge across the Washington and Virginia channels by suitable inclines, the lowest part of the portion of Long Bridge across Virginia channel to afford a clear head room of at least 18 feet above mean low tide.

For the present causeway across the flats (Potomac Park) a viaduct of steel of open work and pleasing design should be substituted, in order to afford carriageway through it, and also a clear view through it of the park beyond the viaduct, and no greater width of park should be occupied by the viaduct or other portions of the bridge or in connection therewith than that necessary for the crossing of the two parallel tracks at the usual distance apart, as well as for the width of

the inclines connecting the highway with the bridge, and for the usual stations for operating the track.

AMENDMENTS PROPOSED.

I would respectfully recommend the striking out of section 12 altogether. And although I am not required to report upon section 14 of the proposed bill, I beg leave to say that, in order to carry out what is herein recommended, it would be necessary to strike out that section which proposes to grant to the said Baltimore and Potomac Railroad Company the right to occupy and use—

for yard tracks and other corporate purposes, all that certain tract and parcel of land (part of a larger tract owned by the United States), situated in said District of Columbia, lying between what is known as the Washington channel and the Main channel of the Potomac River, 500 feet in width, parallel with and contiguous to, and on the southeasterly side of, the railroad of said company as now maintained and operated: *Provided*, That the said company shall so locate and construct and maintain its tracks, structures, and appurtenances on said parcel of land as at all times to afford and furnish ample and adequate passageways, and maintain the same, beneath its tracks and other structures at each end of said hereby-granted parcel of land, and adjacent to each of said channels, for the use of vehicular and pedestrian traffic.

This section (14), which it is proposed to strike out, provides for granting the use and occupation by the company of a strip of land 500 feet in width and extending entirely across Potomac Park. The area would be about 25 acres. It would include about 13 acres upon which the present contractor for dredging in Potomac River is to deposit dredged material. It would also infringe upon an area of land at present occupied (under revocable permit from the Secretary of War) by the Department of Agriculture for experimental or test purposes.

The following is proposed as a substitute for section 11 of the said bill No. 1929:

SEC. 11. That inasmuch as the present Long Bridge, consisting of two spans across the Washington channel of the Potomac River, of a causeway across Potomac Park, and of a bridge of thirteen spans and a draw across the Virginia channel of the Potomac River, fails to meet public needs in the following manner: The causeway obstructing communication between the upper and lower portions of the park and being, also, unsightly; and the bridge across the Virginia channel being inadequate for present and prospective railroad and vehicular traffic, as well as for pedestrians, and being also in a manner obstructive of navigation, and not being capable of alteration to meet the demands of the public, the Secretary of War is hereby authorized and directed to cause the removal of the said bridge across the Virginia channel and of the said causeway across Potomac Park, and the construction at that locality of a combined railway and highway bridge of steel, of broad spans, with sufficient draw openings, and a draw or draws, to be opened promptly for the passage of vessels, and providing for a clear headroom of at least eighteen feet from the plane of mean low tide to the lowest part of the superstructure; to provide for sufficient width of carriage way and sidewalk and for two or more railway tracks (not exceeding four tracks); and also to cause the replacing of the said causeway across the said Potomac Park by a viaduct of steel, providing for a similar number of railway tracks (not exceeding four); the plan for both bridge and viaduct to be of pleasing design, and the design for the viaduct to admit of free communication through it, and also a good view through it of Potomac Park. And the Secretary of War is also authorized and directed to cause such work to be done as may be needed to the piers or abutments at, and the spans across, the said Washington channel, to a proper connection with the said viaduct; and to also cause the construction of a paved roadway, with sidewalks, across Potomac Park at park grade, or at such grade as he may determine upon, to connect, by suitable inclines, with the bridge crossings over the Washington and Virginia channels. The plans for the foregoing work to be prepared and the removal and construction to be done by the Secretary of War. And it is hereby provided that the railway tracks shall be running tracks, and that railway cars or engines shall not rest

for any length of time upon the tracks of the said viaduct, bridge, or spans: *And provided further*, That the expense of the removal of the said causeway and bridge and of the building of the new bridge across the Virginia channel, of the viaduct, of the roadway and inclines, and of the work at the crossing of the said Washington channel shall be equally borne by the United States and the said Baltimore and Potomac Railroad Company, and that the said railroad company shall have the free use, under regulations to be prescribed by the Secretary of War, of the said track throughout the distance from Washington, D. C., to the Virginia termination of the bridge, and shall operate the draw and light the bridge at its own expense, and shall also keep the said bridge, viaduct, and spans in repair at its own expense, all to the entire satisfaction of the Secretary of War; the road across Potomac Park herein provided for to be maintained and kept in repair by and at the expense of the United States: *Provided*, That other railroad companies shall have the right to cross the said bridge upon such terms as may be prescribed by the Secretary of War: *And provided further*, That Long Bridge shall be a free bridge, without tolls or charges whatsoever, for the passage, at all times excepting when the draw shall be open for vessels, of vehicles, pedestrians, and driven animals.

Should this proposed section be accepted in lieu of section 11 as printed in the bill, more or less modification of other sections in the bill would become necessary.

The bill No. 1929 is herewith respectfully returned with the proposed change in section 11, and the proposed striking out of sections 12 and 14 indicated thereon. There is also herewith a sketch of Potomac Park, showing areas proposed for occupation by the Baltimore and Potomac Railroad Company.

Very respectfully, your obedient servant,

CHAS. J. ALLEN,
Lieutenant-Colonel, Corps of Engineers.

Brig. Gen. JOHN M. WILSON,
Chief of Engineers, U. S. A., Washington, D. C.

DIVISION OF COSTS OF GRADE CROSSINGS.

MARCH 12, 1900.

To the Northeast Washington Citizens' Association:

Under date of February 12 last, your committee on railroads submitted a report recommending, among other things, that the division of costs for the proposed work of elevating the Baltimore and Ohio tracks and abolishing grade crossings be left the discretion of Congress and the District Commissioners. This proposition has been acquiesced in by several of our citizens' associations directly interested, and is opposed by only a few persons who have no community of interest in anything pertaining to the welfare of the whole city, and can see no farther than their own immediate neighborhoods.

Your committee has taken the trouble to inquire into the methods followed in other cities relative to the division of costs of abolishing grade crossings and submit a few examples, as follows:

By an ordinance of the city of Philadelphia, Pa., approved March 5, 1892, the city appropriated \$30,000 to abolish grade crossings on the Philadelphia and Trenton Railroad at Comly, Longshore, Washington, and Union streets.

By another ordinance, April 10, 1893, the city appropriated \$30,000 to abolish grade crossings on the Philadelphia and Trenton Railroad at Cottman street, and on the Princeton and Holmesburg Railroad at Hagerman street.

By another ordinance, February 12, 1897, the city appropriated \$900,000 to change the grade of streets and to abolish grade crossings from Norris street to Butler street on the line of the Philadelphia and Trenton Railroad, and released the Pennsylvania Railroad Company, lessee of the Philadelphia and Trenton Railroad, from any liability for damages on account of this work.

By another ordinance, March 26, 1897, the city appropriated \$25,000 to abolish grade crossings on the Philadelphia and Trenton Railroad at Magee and Vankirk streets.

By another ordinance of the same date the city appropriated \$35,000 to abolish grade crossings on the Philadelphia and Trenton and Frankford and Holmesburg railroads at Rhawn street.

In each of the above cases the mayor was authorized to enter into bond on behalf of the city for the payment of any damage accruing to property by reason of change of grade or otherwise.

You will see from the above that the city of Philadelphia by five separate ordinances contributed \$1,020,000 as its proportion of the cost of abolishing grade crossings in that city on the line of one of its smaller steam railroads.

We find that the State of Connecticut has a statute which provides that whenever any city or town desires the elimination of grade crossings, such city or town shall pay 25 per cent of the costs where such crossing antedates the construction of the railroad and 50 per

cent if such crossing has been laid since the construction of the railroad. If a railroad desires to make any such change, it shall pay the whole expense thereof.

By a special act of the Connecticut assembly, the changes made necessary for eliminating grade crossings by elevating the tracks and constructing two additional main tracks, etc., on the New York division of the Pennsylvania Railroad, the city of Bridgeport was required to pay such proportion of the cost as should be determined by agreement or by order of the railroad commissioners of the State.

In the same State the city of New Haven paid one-half of the cost of carrying the steam railroad tracks over East Chapel street.

By special act of the legislature of Massachusetts, providing for a change of grades, etc., on the Providence division of the Pennsylvania Railroad in the city of Boston, 55 per cent was paid by the railroad company and 45 per cent by the Commonwealth, the city of Boston being required to refund the State 30 per cent of the whole cost.

For similar changes in Brockton, Mass., including new stations, yards, tracks, etc., the railroad company paid 65 per cent, the State 25 per cent, and Brockton 10 per cent.

The law of the State of Massachusetts now provides that no matter from which side an application is made to abolish grade crossings, 65 per cent shall be paid by the railroad company, 25 per cent by the State, and 10 per cent by the municipality.

A recent law of the State of New York divides the cost of abolishing grade crossings as follows: 50 per cent by the railroad company, 25 per cent by the State, and 25 per cent by the municipality.

In a letter dated October 16, 1899, Mr. William Jackson, city engineer of Boston, states that in a special case involving an expenditure of \$4,000,000 the State and the city of Boston paid 45 per cent (of which the city assumed 13.5 per cent) and the railroad company paid 55 per cent.

In a letter dated October 17, 1899, Mr. G. S. Webster, chief engineer of Philadelphia, states that in the construction of the Pennsylvania avenue subway whereby 16 grade crossings were abolished, involving an expenditure of \$3,000,000, the city paid one-half and the Philadelphia and Reading Railway Company paid the other one-half.

The foregoing are only a few of the cases that have come to the knowledge of your committee, and we content ourselves by reciting them. We deem it too tedious to go into details of similar cases, such as Rochester and other cities in New York, and Pittsburg and other cities in Pennsylvania, and especially in the case of the Atchison, Topeka and Santa Fe Railroad in St. Louis, Mo., where the conditions were nearly identical with ours on the Baltimore and Ohio road.

We may be asked, "How much did the city of Baltimore, Md., contribute to the Baltimore and Ohio tunnel under said city?" To the unbiased mind but one answer is necessary, which is that no disadvantage was suffered nor advantage gained by Baltimore in any of the conditions or changes, and no equitable reason existed for the city to pay towards accomplishing a shorter route and a saving in time for the great benefit of the railroad company.

In several other cities under circumstances similar to those that existed in Baltimore, railroad companies have found it advantageous to themselves by shortening routes and saving time to do the whole work at their own expense.

In this city the jeopardy to life and limb will be lessened, the loss of valuable time by detentions and obstructions at crossings will be abolished, and real property values and revenues therefrom will be increased in some cases as much as fourfold, as we have reason to think, within a short time; and while we do not wish to put ourselves on record as fully indorsing the payment of \$1,500,000 asked by the Baltimore and Ohio Railroad Company, we think all fair-minded men will agree that the equities of the case demand some consideration, and we firmly adhere to our former recommendation that the United States Senators and the Representatives in Congress from the cities and districts where such work has been done, and the Commissioners of the District of Columbia and practical railroad engineers have ample facilities for ascertaining the proper division of costs, and we most confidently leave it to their determination.

We are pleased to report, further, that the District Commissioners, in their report on the bill presented to the Senate Committee on the District of Columbia on the 27th ultimo, recommended an amendment that F street be not closed, and adopted other of our minor suggestions. As the case now stands, we are of the opinion that the Commissioners and this association are in perfect accord as far as the bill relates to conditions south of Florida avenue.

W. J. FRIZZELL,
Chairman, for Committee on Railroads.

At a meeting of the Northeast Washington Citizens' Association held on March 12, 1900, the above report was unanimously adopted, and the committee on proposed legislation was directed to submit copies of the same to Congress.

EVAN H. TUCKER, *President.*

PENNSYLVANIA RAILROAD COMPANY, GENERAL OFFICE,
Philadelphia, December, 26 1899.

The COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, D. C.

GENTLEMEN: In connection with the pending bill (S. 1929), providing for the elimination of grade crossings, by requiring the Baltimore and Potomac Railroad Company to elevate and depress its tracks and make other substantial improvements on its railroad within the District of Columbia, and the division and apportionment thereby made of the cost, expense, and damages incident thereto or resulting therefrom, I beg to submit for your information the following data, showing the policy as to division of cost and expense of improvements substantially similar in character to that contemplated by the pending bill, and a comparison wherewith will, it is believed, justify the provisions of said bill in that regard:

Similar work has been done in most of the large cities of this country, notably, in New York, Philadelphia, Pittsburgh, and Chicago. Since the Pennsylvania Railroad Company is so largely interested in the Baltimore and Potomac Railroad Company, both as owner of its stock and guarantor of its bonds, both of which represent the cost of said railroad as it now exists, and since that company has carried out similar work on its lines elsewhere, reference thereto, as well as to analogous work elsewhere by other companies, may appropriately be made.

New York City.—The New York and Harlem Railroad Company, which owns the approaching line to the Grand Central Station at Forty-second street, prior to 1872 used the surface of Fourth or Park avenue. Under what is called the "Fourth avenue improvement," this railroad between the Grand Central Station and the Harlem River was reconstructed by depressing the same into covered ways and tunnels, under the provisions of chapter 702 of the "Laws of New York of 1872," the entire expense thereof being borne equally by the railroad company and the city. The improvement resulted not only in the elimination of all grade crossings, but gave the railroad two additional tracks. This improvement continued as originally constructed until 1896, when, under certain revisions of the "Laws of New York," the tracks were elevated on a steel viaduct, one-half of the expense (excluding the expense of stations) being borne by the city to an amount not exceeding one-half of \$1,500,000, and an amount not exceeding one-half of \$100,000, under the amending act of 1894, and the balance of the expense being borne by the railroad company. The reason for this last improvement was the necessity of elevating the bridge over Harlem River, in order to comply with act of Congress, but in order to do this it was only necessary to change the grade of the railroad as far south as One hundred and twenty-fifth street. The improvement, however, was continued as far south as One hundred and sixth street to meet the demand of the property owners for the elevation of the tracks.

New York State.—The existing general grade-crossing act of New York provides that the expense of abolishing grade crossings is to be borne 50 per cent by the railroad company, 25 per cent by the municipality, and 25 per cent by the State. The provisions of this act, however, do not apply to the city of Buffalo, which is specially provided for, and under which the various railroad companies whose lines are in Buffalo have entered into agreements to eliminate the grade crossings in said city.

Pittsburg.—The main line of the Pennsylvania Railroad approaches Pittsburg through the suburbs of Homewood, East Liberty, Shady Side, and Lawrenceville, all of which are included within the limits of said city.

On December 30, 1872, the company entered into an agreement with the city of Pittsburg providing for the elimination of certain grade crossings by building bridges to provide undergrade and overhead crossings therefor, which agreement had legislative sanction.

The Pennsylvania Railroad Company, under said agreement, assumed the responsibility for, and the cost of, doing all the work along its right of way, including the erection of all necessary bridges, the changes in the grades of the streets and alleys immediately adjoining and leading to its stations and property, and the maintenance of all abutments and supports of crossings; the city being responsible for, and assuming the cost of, changing the grades of the streets leading thereto, and the maintenance of the superstructure of the bridges as part of the public highways.

Philadelphia.—In the elevation of the Philadelphia and Trenton Railroad a leased line of the Pennsylvania Railroad Company—which was authorized on April 2, 1890, under the authority of city ordinance, the company entered into an agreement with that city whereby it paid all the expense, within the lines of its right of way, of constructing six-

teen undergraduate and three overhead bridges. The next work on the Philadelphia and Trenton Railroad, which was authorized under ordinance of February 2, 1897, amended on April 1, 1899, was treated more liberally by the city authorities, the latter contributing \$750,000 toward the work of elevating the railroad, constructing its bridges, and other work incident thereto, the railroad company dedicating to the city, for highway purposes, the bed of the street which it owned as its right of way. The city also set aside on account of this work \$150,000 for the payment of any damages which might be assessed by reason of the necessary changes in grade or opening of certain streets.

Under ordinances of March 15 and 17, 1894, providing for the abolishment of grade crossings on the Philadelphia and Reading Railway, the cost of the work of depressing said railway and providing the necessary overhead and undergraduate bridges, estimated at \$6,000,-000, was divided equally between the city and the railroad company, the railway company's liability, however, being limited to \$3,000,000.

Chicago.—During the past few years the tracks of the Pittsburgh, Fort Wayne and Chicago Railway and Pittsburgh, Cincinnati, Chicago and St. Louis Railway have been elevated under city ordinances, the companies paying all the expense, including the cost of approaches and property used by the railroads in elevating, changing streets, etc., the city being responsible for all property damages, future viaducts to be constructed at city's expense.

The bill before you contemplates that the railroad company shall bear the whole expense of all changes in its railroad within its right of way, including the cost of all overhead and undergraduate bridges for intersecting streets, and that the only expense to the District of Columbia is in the expense of the changes in the grades of the streets approaching said overhead and undergraduate crossings and the damages thereby resulting to abutting property owners.

I am endeavoring to obtain additional accurate data respecting work of like character in other localities, which will be promptly communicated to you.

Very respectfully,

SAMUEL REA,
Fourth Vice-President.

House and Senate reports, Fifty-sixth Congress, second session, on Baltimore and Ohio Railroad Company.

NEW TERMINALS AND TRACKS FOR THE BALTIMORE AND OHIO RAILROAD COMPANY.

DECEMBER 17, 1900.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. PEARRE, from the Committee on the District of Columbia, submitted the following

R E P O R T.

[To accompany S. 2329.]

The Committee on the District of Columbia, to whom was referred the bill (S. 2329) to provide for eliminating certain grade crossings of the railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore and Ohio Railroad Company in the city of Washington, and for other purposes, report the bill back to the House and recommend that it do pass with the following amendments:

Page 4, strike out all of section 2 and insert in lieu thereof the following:

That said companies be, and each of them is hereby, authorized and empowered to locate, construct, maintain, and operate, outside of the city limits and south of T street, yard tracks, switches, roundhouses, shops, and other structures necessary or proper for the accommodation of locomotives and cars for the conduct of its business or for the purposes of a freight yard, and also to locate, build, maintain, and operate, beyond the city limits, a branch track or "Y" for the passage of trains directly to and fro between the Metropolitan Branch and the Washington Branch without entering the city: *Provided*, That said roundhouses and shops shall be located within said "Y" as far eastwardly as in the judgment of the Commissioners of the District of Columbia it is practicable.

Page 7, insert after section 3 a new section, to be known as "section 4," as follows:

That the Baltimore and Ohio Railroad Company shall, before taking possession of the ground now owned by the United States in square six hundred and eighty-three, secure and convey to the United States a tract of ground containing not less than twenty-one thousand square feet, which location shall be subject to the approval of the Commissioners of the District of Columbia and the Sergeant-at-Arms of the United States Senate, and locate thereon a fire-engine house at a cost of not less than twenty-

four thousand dollars and stables at a cost of not less than fifteen thousand dollars; or, if said company prefers, it may have the said buildings erected by the Commissioners of the District of Columbia by depositing the amounts stated above with the said Commissioners and Sergeant-at-Arms, respectively, and when such buildings have been accepted by the District of Columbia and the Sergeant-at-Arms of the Senate, respectively, or the amounts necessary for their construction deposited as aforesaid, it shall have authority to remove said structures on the ground aforesaid. And the Baltimore and Ohio Railroad Company shall have the right to condemn such land in the city as is hereinbefore required, and for said purposes the provisions of section eleven of this act are hereby made applicable to the provisions of this section.

Renumber the sections, commencing with section 4.

Page 7, lines 18 and 19, strike out, after the word "within," the following: "the city limits west of Second street east, and east of North Capitol street" and insert in lieu thereof the following: "said District: *Provided*, That no such station or depot within the city limits shall be located east of Second street east, and west of North Capitol street."

Page 9, line 6, after the word "the" at the end of the line, insert "time fixed for the."

Page 11, line 3, after the word "avenue," insert the following: "also extending from the north line of New York avenue to the north line of Q street."

Page 15, line 3, insert, after the word "stock," the following: "not to exceed five million dollars fully paid up."

Page 16, line 21, after the word "Columbia," add the following:

Provided, That in every case in which an assessment of damages or an award shall have been returned by the appraisers, the company, upon paying into court the amount so assessed or awarded, may enter upon and take possession of the lands and property covered thereby, irrespective of whether exceptions to said assessment or award shall be filed or not, and the subsequent proceedings shall not interfere with or affect such possession, but shall only affect the amount of the compensation to be paid.

The first amendment authorizes the location, construction, and maintenance of yard tracks, switches, roundhouses, shops, and other structures necessary for the accommodation of locomotives and cars, etc., outside of the city limits and south of T street, and requires the company to locate its roundhouses and shops in the most easterly practicable portion of the "Y" near Eckington. This amendment is recommended to obviate certain objections raised by the citizens of Eckington to the location of said roundhouses and shops at the westerly portion, or near the center, of the "Y." It is believed by the committee that the location provided by the amendment will obviate the trouble anticipated by the citizens of Eckington without at the same time disturbing the general engineering scheme of the whole improvement, as agreed upon by the Commissioners of the District of Columbia and the officers of the company.

The second amendment adds a section, known as section 4, to follow after section 3 of the bill, and is designed to provide for the removal of the engine house and Senate stables from their present location in square 683, and the reerection by the railroad company of said structures on ground which it is required to secure and convey to the Government, with the additional provision for condemnation of such land, if necessary.

The purpose of the third amendment is to confine the improvement specifically within the limits named.

The fourth amendment limits the authority to lay and use temporary tracks pending the completion of the work, and their removal, and restoration of the streets and avenues used to sixty days after the time fixed for completion of the work. It simply makes the limitation more specific than the words of the Senate bill.

The fifth amendment adds to the requirement for the removal of the present tracks of the Metropolitan Branch Railroad in five years that portion of the tracks extending from the north line of New York avenue to the north line of Q street.

The sixth amendment is to section 9 of the Senate bill and limits the capital stock of the terminal company authorized by said section to \$5,000,000 fully paid up.

The seventh amendment is designed to prevent any delays in condemnation proceedings by exceptions to the assessments or awards.

By one of the amendments the numberings of the sections are changed as required by the introduction of a new section numbered 4.

Your committee after several hearings has carefully considered the provisions of this bill and believes that it is the best solution of the problem that can be devised.

The Senate report upon the bill is full and carefully prepared in detail, and your committee adopts the same as a part of this report with such changes as have hereinbefore been made by the amendments above discussed.

[Senate Report No. 1303, Fifty-sixth Congress, first session.]

The Committee on the District of Columbia, to whom was referred the bill (S. 2329) to provide for eliminating certain grade crossings of railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore and Ohio Railroad Company in the city of Washington, and for other purposes, report the bill to the Senate with certain amendments and recommend its passage as amended.

The favorable report upon the bill to abolish grade crossings on the lines of the Baltimore and Ohio Railroad is the result of work that has been going on for a number of years. Many projects for these changes have been put forward, only to meet serious obstacles of one kind or another. First the railroad engineers were unable to sanction any plan that involved the separation of the two branches of the road at a point beyond Florida avenue; again, the use of the present station grounds as the site of the proposed new depot involved the closing of streets that should be kept open; still again the financial condition of the road, combined with the general depression in business, made it impossible for the company to accede to as complete a plan of reconstruction as the situation demanded.

DELAYS IN CARRYING OUT THE PROJECT.

While one thing after another tended to delay the completion of the plan the committee has never for a single session lost sight of the great object to be attained, but constantly has pressed upon both the Dis-

trict Commissioners and the officials of the road the desirability, and indeed the necessity, of a thorough and complete rearrangement of the Baltimore and Ohio terminals in the District of Columbia. Thanks to the more careful study of the situation on the part of the engineers, to the masterly reorganization of the railroad company, and to the revival of business, the committee is able at this time to present a plan for eliminating grade crossings along the line of the Baltimore and Ohio road, not only within the city of Washington, but also for a considerable distance within the county. Also provision has been made in the street-extension plans for such a treatment of streets and avenues as shall insure the systematic elimination of grade crossings along this line throughout the District of Columbia. Moreover, it is provided that the lines shall diverge at a point north of Florida avenue, and thus many streets that are now seriously encumbered by railway tracks will be entirely freed from the burden. As a result, a great and populous section of the city will be vastly improved. When to the material advantage thus gained is added the very considerable saving of life that will come from the elevation of these tracks, the committee feel justified in congratulating the people of the District on prospective changes that will place Washington on a par with the other great cities in the country in the matter of its railway terminals.

PUBLIC APPROVAL OF PROPOSED PLANS.

The engineering features of the plan now presented have the approval of the representative bodies of the citizens of the District. The committee acknowledges with pleasure the strong and earnest support given to the plan by the Northeast Washington Citizens Association. Although the individual interests of some of the members of this association will be hurt, at least temporarily by the changes contemplated, there is a unanimous desire that the scheme shall be carried out for the benefit of the whole section. So, too, the Eckington Citizens Association, while advocating a change in certain particulars, assured the committee that their objections would not be allowed to stand in the way of carrying out the plan as agreed upon, in case the engineering objections to their proposals seemed valid; and it is only after a careful reconsideration of the whole matter that the original proposition is recommended.

CHARACTER OF THE CHANGES.

In brief, the proposed changes are as follows: The Baltimore and Ohio Railroad Company is to remove its present station and build a commodious depot across Delaware avenue, 200 feet north of C street north. This will open North Capitol street to travel, and thus put into complete use one of the great thoroughfares of the city. For its station and grounds the company will occupy the squares east and west of Delaware avenue and north of C street, thus obtaining sufficient space for the transaction of its business with the public. Architecturally, the station building is to be a structure fit to occupy a prominent position within plain sight of the Capitol.

From the station the road will run northeasterly on Delaware avenue to Florida avenue, the tracks being carried on an elevated masonry

structure underneath which the main thoroughfares are to be carried. From a point north of Florida avenue the road will be carried on an embankment. The line of road that now diverges at G street will be abandoned, thus doing away with eleven grade crossings and leaving those streets entirely free from railroad tracks. The great property of the United States now occupied by the Columbia Institution for the Deaf and Dumb, instead of being hemmed in between two lines of railroads crossing streets at grade, will be relieved altogether of one set of tracks, and from the west the approach will be underneath a slight structure. Moreover, the occupation of Delaware avenue will be only to such an extent as will leave an ample drivewav on each side of the elevated tracks.

THE QUESTION OF DAMAGES.

So systematically has the plan been worked out that no land damages are anticipated. There are, however, certain expenses that must be shared between the District and the railroad if these desirable changes are to be brought about. In making these adjustments the District Commissioners have followed what is now the well-settled policy in such cases—a division of those expenses directly consequent on abolishing grade crossings.

DIVISION OF COSTS.

The Baltimore and Ohio Railroad Company, under an existing agreement between said company and the municipal authorities authorized by Congress, has the right to maintain its present tracks within the District of Columbia until 1910, subject, of course, to the Government's right to exercise the power of eminent domain with regard thereto.

To elevate these tracks within the city and to confine the same to one line instead of two lines now existing, it is necessary to change both of the existing lines materially in a part of the District lying outside of the city limits, and to unite them beyond the boundary of the city to bring them down Delaware avenue, as proposed. This necessitates the abandonment for more than a mile and a half of the right of way on the Washington branch and of some right of way on the Metropolitan branch, and the purchase of a new right of way from Montello to Eckington, the abandonment of roundhouse, turntable, water tank, shops, buildings, and trestles at Trinidad on the Washington branch, and the construction of the same at or near Eckington, as proposed; it requires the construction of a new "Y" or device for the joining of two lines outside of the District. These costs are a part of the costs made necessary by the elevation, and their estimated sum was placed, for the purpose of agreement between the company and the District Commissioners, at a low figure. Under the general rule established in other localities, and recognized by this committee, one-half of these costs should be borne by the public benefited.

Moreover, it must be borne in mind that the company voluntarily relinquishes its right under the contract referred to, which would give it ten years more of existence under present conditions, and that it transfers to the public, without costs, the right of way abandoned on

the Washington branch. Also, the company, in bringing its line from Montello to Eckington, adopted the line suggested by the Commissioners (even though a less expensive one might have been adopted), in order to enable the future streets of Washington, when extended into the part of the District traversed by the proposed line, to be extended without crossings at grade. The land purchased for the uses of the yards, roundhouses, etc., at Eckington, or purchased for the location of terminals in the city, are not included in the costs.

Appended may be found the report of the Commissioners of the District of Columbia, which presents in detail the features of the proposed plans, and a report made to the East Washington Citizens Association, showing the law and custom in regard to the division of cost of grade crossings.

APPENDIX I.

ELIMINATING BALTIMORE AND OHIO RAILROAD GRADE CROSSINGS.

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, February 27, 1900.

Hon. JAMES McMILLAN,

Chairman Committee on the District of Columbia, Senate.

SENATOR: The Commissioners have the honor to submit the following on Senate bill No. 2329, Fifty-sixth Congress, first session, to eliminate grade crossings on the line of the Baltimore and Ohio Railroad in the city of Washington, and for other purposes, referred to them by your committee for report:

PRESENT CONDITIONS.

A blue print is submitted herewith, showing the present and proposed routes of the Baltimore and Ohio Railroad within the District of Columbia. From this it may be seen that the tracks now cross 24 streets and avenues within the city limits. Along the Washington branch within the city limits the tracks are partly at grade at certain portions of the route, at others they are in a cut, and at others on an embankment. On this account Third, Sixth, Eighth, Ninth, I, and K streets NE. do not cross the road; at Florida avenue the tracks are below grade and difficult of approach; at Fifth and Seventh streets the tracks are on an embankment, and at Second street there is a bridge over the tracks, the approaches to the crossings being narrow and steep in each case, the bridge crossing being exceptionally undesirable. Between the present passenger station and H street the crossings are so obstructed by tracks, and also by shifting trains from time to time, as to be a constant source of annoyance and danger, and several of the crossings within the limits named are now practically abandoned on account of the difficulty attending their use.

The Metropolitan branch now comes into the city along First street east, which is 110 feet wide. It crosses Florida avenue practically in the line of New York avenue, making a bad curve upon both the south and the north side of Florida avenue, the one on the north, owing to the position of the small station at this point and the configuration of the ground, being exceptionally dangerous.

The Washington branch enters the city near the intersection of L street and Florida avenue northeast, between Ninth and Tenth streets, and crosses intervening blocks diagonally to the corner of Sixth and I streets. It then follows I street to Second, curving into Delaware avenue at H street. This curve is particularly dangerous, owing to the fact that H street is occupied by a street-car line and is one of the principal lines of travel to the northeastern portion of the city. Several bad accidents have occurred here.

The freight and passenger stations of the company are inconvenient, and insufficient to meet the present demands of traffic and commerce, and this condition is becoming worse each year.

OBJECTS OF THE BILL.

The main objects of the bill are:

(1) To eliminate grade crossings by (*a*) abandoning certain portions of the railway routes; (*b*) by consolidating the Metropolitan and Washington branches, bringing them into the city on a single viaduct along the line of Delaware avenue, the viaduct being carried over street crossing; (*c*) by closing certain streets.

(2) To provide a modern passenger station on the north of C street northeast, between First and North Capitol streets, and also a station for fast and perishable freight on the east of North Capitol street, between D and F streets.

(3) To provide railroad yards and station for heavy freight in the territory bounded by Florida avenue, S street, the Metropolitan branch, and the Brentwood road.

The bill also proposes to authorize the formation of a terminal company, if desired, in carrying out the purposes of the bill. But this is believed to be an internal feature of the project which need not be discussed in this report.

ROUTES ABANDONED.

Under the bill the present Washington branch would be abandoned between Winthrop Heights station and Delaware avenue. This would abolish every grade crossing along the road within the city limits east of Delaware avenue. The right of way between Second street east and Winthrop Heights, thus vacated, would be deeded to the District of Columbia, in fee simple, for highway purposes.

The right of way is 66 feet wide and 1.5 miles long. It traverses a territory sorely in need of more direct highway connection with the city. The right of way is already at grade, and with a comparatively small expenditure for placing a proper roadway surface upon it, it would furnish a very valuable and highly desirable avenue through this section of the District.

The present Metropolitan branch would be abandoned south of the north line of New York avenue. This would clear New York avenue and First street east of tracks, thus abolishing all grade crossings along the line of road in the city limits west of Delaware avenue.

THE NEW ROUTES.

The new routes proposed by the bill are shown by red lines on the accompanying blue print. From this it will be seen that, beginning at the south end, the road commences in Delaware avenue, just north of C street at the station, thence runs northerly on Delaware avenue to Florida avenue, the Metropolitan branch continuing in a direct line until it joins the present right of way near S street, and the Washington branch bearing off to the east, paralleling New York avenue extended, about 200 feet to the north thereof, until it connects with the existing main line in the vicinity of Winthrop Heights.

The two branches will be connected by means of a Y just north of R street, between Fifth and Seventh streets.

A glance at the map will at once manifest the magnitude of the improvement which would be accomplished by the proposed change. The number of street crossings on the line of the road within the city limits would be reduced from twenty-four to nine, and these nine would pass under the viaduct instead of crossing tracts at grade, thus being entirely free from the danger and annoyance attaching to crossings at grade. It is believed that this improvement would give a considerable impetus to the northeastern section of the city, which has heretofore been retarded in its growth by the fact that its communication with the center of the city and the various Government departments has been interrupted by crossing one or more railway tracks at grade.

THE VIADUCT.

Within the city limits the tracks will be placed upon a viaduct located in the middle of Delaware avenue. This avenue is 160 feet wide; the viaduct will be 80 feet in width, leaving 40 feet on each side for roadways and sidewalks, so that the usefulness of the avenue for highway purposes will be still preserved.

STREETS TO BE CLOSED.

The bill provides that the following-named streets shall be closed and abandoned to the uses of the railroad:

IN THE CITY LIMITS (NORTHEAST).

Delaware avenue between F and C streets.

D street between North Capitol and First streets.

E street between North Capitol and First streets.

F street between Massachusetts avenue and First street.

Delaware avenue between Florida avenue and M street.

N street between Second and Third streets.

IN THE COUNTY (NORTHEAST).

The streets east of the Metropolitan branch, between T street, Florida avenue, Brentwood road, and Sixth street.

Brentwood road between S street and Florida avenue.

R street between Third street and the Metropolitan branch.

Delaware avenue between F and C streets, and D and E streets between North Capitol and First streets.—These streets are bounded by squares owned or controlled by the company, or which the company is authorized by the bill to acquire for railroad purposes. They are virtually closed at present by reason of existing tracks and shifting trains. Practically no traffic passes over them except that connected with the business of the company. It is recommended that authority to close these streets be granted.

F street, between First street and Massachusetts avenue.—This street is quite an important line of communication between the eastern and western sections of the city. It is believed that the constructions of the company could be carried over it without undue difficulty or expense.

It is therefore recommended that the street be not closed, and that the bill be amended so as to provide for carrying it through.

Delaware avenue, between Florida avenue and M street, and N street, between Second and Third streets.—These portions of the street and avenue are bounded by four small triangular blocks which are owned by the company, and all four put together are but little larger than an ordinary city block. There is a considerable rise in the ground here, and in order to carry N street under the road, Delaware avenue, within the limits named, would have to be first excavated and a viaduct then constructed. Through travel would not be in the slightest degree incommoded by the proposed closing, and as all of the abutting property is owned by the company there appears to be no objection to closing the streets as proposed.

The streets in Eckington east of the Metropolitan branch, between T street and Florida avenue, and Brentwood road, between S street and Florida avenue.—These streets are bounded by squares already owned by the company or which they are authorized by the bill to acquire. They are desired for use in connection with the proposed railroad yard and freight station and will not be needed if authority is not granted for the establishment of a yard at this locality. The question of locating the yard and freight station at this point is referred to further on in this report.

R street, between Third street and the Metropolitan branch.—This portion of R street is west of the Metropolitan branch. It is recommended that no portions of streets in Eckington west of the Metropolitan branch be closed.

STREETS KEPT OPEN.

The following-named streets will be entirely freed of railroad tracks and kept open to the public: Massachusetts avenue, G, H, I, K, L, and M streets, Florida and New York avenues, and T street.

As before stated, it is recommended that F street be kept open also.

All of the streets kept open, with the exception of T street, pass under the railroad viaduct. T street will be carried over the railroad on a bridge.

THE NEW PASSENGER STATION.

The new passenger and fast freight terminal of the company will be located in the squares between F and C, First and North Capitol streets NE., as shown on the accompanying map. The company now owns or controls most of the property necessary for the purpose.

The proposed site is a most admirable one. It is on a bluff just north of C street in the line of Delaware avenue. The ground is some 20 or 30 feet higher than the land to the north, and possesses peculiar natural advantages, which make possible the unique combination of an elevated railway with a station at grade. The station building will be set back from C street, affording a broad plaza in front. Its main floor will be on the grade of C street, so that passengers will not have to climb steps or use elevators. Along the street in front run the principal street-car lines of the District. It is bounded on the east by a street 110 feet wide and on the west by one 130 feet in width, which afford ample room for the traffic incident to a railway station. The location of the station upon this site will permit also the removal of

tracks from North Capitol street and the full restoration of this grand avenue to the uses of the public.

THE FAST-FREIGHT STATION.

The company proposes to locate its depot for fast and perishable freight to the east of North Capitol street, between D and F streets. The station will be set back a good distance from the street, and an ample yard will be provided, so arranged that no business attaching to it will be transacted in the street, the freight yard having ample facilities within its own limits. The site is a most excellent one for the purpose, being centrally located and easy of access.

ECKINGTON YARD AND FREIGHT STATION.

The bill provides for the location of a railroad yard and freight station on the east side of the Metropolitan branch between Florida avenue and T street.

The Eckington Citizens' Association objects most strenuously to the location of a yard and freight station in this territory. Their grounds of objection are that such an establishment would effect most injuriously the value of the contiguous property; that the closure of the streets necessitated thereby would cut off all travel between their section and the east from New York avenue to T street; that a large number of residents in the county whose access to the city is by way of the streets to be closed would be seriously inconvenienced.

To obviate these objections they recommend that the Metropolitan branch leave the main stem of the road at Ninth street east instead of at Third street east, as at present, thence run northerly, connecting with the present Metropolitan branch in the vicinity of Indianapolis street, Brookland. Under this plan the Y would be located about a half mile farther out, in the vicinity of the subdivision of Fairview, and the yard and station would be situated on a part of the old Ivy City Race Course, about a mile farther from the center of the city than the site proposed in the bill.

To these recommendations the company replies that to place the yard and station so far out would make it impossible to carry on the business of the company or to handle the freight with convenience to itself or to the Washington public; that the land embraced within the Y would be rendered useless by the heavy grades; that most of the street spaces proposed to be taken have never been opened or improved, and that all of them are bounded by property which is owned by the company.

In this connection the Commissioners would state that the site proposed by the bill for the yard and freight station would close all the streets of Eckington of east the Metropolitan branch except the following, which would be kept open: T street; Sixth street north of the south line of S street; S, Seaton, T, and Thomas streets east of Sixth street.

The portions of R and S streets and Sixth street between S street and Brentwood road proposed to be closed are improved streets, having been paved with asphalt some years ago at private expense. The other streets proposed to be closed are not improved. South of R street the

territory involved is traversed by the low bed of a small stream. It is vacant ground, generally from 10 to 15 feet below grade, and is used as a public dump for refuse material. In the natural course of events years will elapse before it will be brought to grade and made serviceable. The streets platted to pass through the section are not established upon the ground nor improved in any way. They are not deeded to the District outright, the public being granted a right of way over them, and if this right of way is not accepted, or is accepted and then abandoned, the street spaces would be subject to reversion to the owner of the abutting property, who in this case is the Baltimore and Ohio Railroad Company. The right of way of the Metropolitan Branch is owned in fee simple by the railroad company north of Florida avenue. The company has permitted the streets to be carried across without compensation, but these crossings are the property of the company, which has not waived its right to close them when desired.

The streets of Eckington do not run farther east than the Brentwood road. The average distance of the Brentwood road from the Metropolitan Branch is about 600 feet, so that the closing of the streets east of the right of way would result simply in the line of subdivided property being moved about 600 feet west of its present limit.

The streets in question were dedicated by a private party, and so far as they have been improved it has been done at private expense. Practically speaking, the Government has not incurred any expense for their opening or improvement; and the company purchased the abutting land from the party who dedicated and improved the streets.

As the company owns the property in the section to be occupied, and as the streets are not opened to the east, the question of caring for the local street traffic is an immaterial one, and as the local traffic in the section will be in connection with railroad business, the company doubtless will provide ample facilities for it.

The through traffic from Brentwood road and Patterson avenue, however, will have to be cared for. This can be done conveniently and at small expense by diverting it into T street, which is to be kept open. An admirable line of access to the city could be furnished also by way of Seventh street and New York avenue, as laid out on the highway extension plans. This would involve the extension of Seventh street from Brentwood road to the line of New York avenue, a distance of about 1,000 feet; and of New York avenue from its present terminus east to Seventh street, a distance of about 1,400 feet. If the yard is to be located as proposed, provision should be made for opening these streets.

Several years ago when a plan for changes in the Baltimore and Ohio terminal, virtually in accord with the propositions contained in the bill, was tentatively agreed upon by the Commissioners and the railroad company, the company took immediate steps to acquire the property in Eckington where it now proposes to locate its yard and station, and with that avowed purpose. As soon as this tentative agreement had been reached as to the change of system above referred to, the plans were made public and no serious opposition was developed to them at that time, and thereafter the company completed the purchase of the tract which it now owns.

The street-extension plans for this section, now duly adopted and recorded in accordance with law, were also laid out with this plan of

railway treatment in view. An avenue was laid out north of and parallel with New York avenue, between which avenue it was proposed to locate the railroad, as shown on the lithographed highway plans for this section. The blocks along the route were purposely made of unusual length so that the crossings of the road would be as few as possible, and the topography of the location is such that none of these crossings would be at grade, the railroad being in a deep cut, out of view, so that the streets could be carried over at easy grades on bridges.

So much for this feature of the plan as proposed in the bill.

Concerning the changes recommended in the plan by the Eckington Citizens Association, a map is submitted herewith showing the location of the Metropolitan branch, the Y, and yards as desired by them.

The objections to the plan of the Citizens Association are as follows:

The yard and station would be moved a mile further out from the center of the city.

The land embraced within the triangle formed by the Y could not be used by the company unless it were graded down to the level of the tracks. Such grading would involve the removal of an enormous amount of earth at an expense of such magnitude as to render the grading out of the range of probability. The tract, therefore, would be made inaccessible by the deep cuts of the road, rendered useless to the owner or to the company, and its value destroyed.

The Metropolitan branch would cut directly through Harmony Cemetery. This would be unavoidable, as there are high hills to the right and left which would prevent a divergence in either direction.

The grades necessitated by the change would be so heavy as to interfere most seriously with the running of trains. This feature alone is a well-nigh insuperable objection to the proposition, as one of the steepest grades is on a heavy curve, thus adding danger to difficulty.

As it is the intention of the company to make up its trains and handle its heavy freight at this yard and station, the Commissioners believe that they should be situated reasonably close to the center of the city. For the handling of heavy freight it is highly desirable that the station be connected with the city by improved modern roadways of easy grade. To locate the station as recommended by the Citizens' Association would move it a mile farther from the city to a place which could not now be reached by existing roads or streets. A longer and more difficult haul and increased expense to the merchants, builders, and citizens generally of the entire city receiving or sending freight over the Baltimore and Ohio Railroad via this station would be the result of this plan.

The question of the grades of the railroad is a most important one. Should the committee desire to go into the matter in detail and will so inform the Commissioners, an engineer will be sent up to explain fully to the committee the conditions which would result from the adoption of the plan proposed by the Citizens' Association.

Harmony Cemetery is a colored burying ground, and it is needless to enlarge upon the objections which would be sure to be presented to any entrance upon it by the railroad company.

Generally speaking, propositions of the character under discussion involve the consideration of three parties—the general public, the railroad company, and the owners of the property locally affected.

The engineering features of the plan proposed in the bill are the result of long and careful study on the part of the engineers of the

District. They were tentatively agreed upon by the Commissioners only after an exhaustive consideration of the subject, viewed in all of its aspects. And the plans were selected because, in the opinion of the Commissioners and the engineers, they were the best for the purpose which could be designed.

The plans were not exactly what the company wanted. The company has accepted a number of changes which were not desired by it. However, as before stated, the plans were tentatively agreed upon by the company and a former board of commissioners, and the company proceeded immediately to acquire the land necessary to carry them out, and it is believed that the company is entitled to some consideration in the matter.

As to the property interests locally affected, it may be stated as a broad proposition that no locality can be found which is entirely free from objection. No matter what site or plan is proposed something can and will be urged against it. The Citizens' Association opposes the first plan because it would approach near to the homes and property of its members, while the plan proposed by the association in lieu thereof would be most bitterly fought, because it would enter upon a cemetery and disturb the bodies of the dead. And the hostile sentiment aroused in the latter case would be far more bitter and strong than the material objections urged in the former. All things considered, it is believed that the second proposition would meet with a more formidable opposition than the first.

It is believed that Congress can readily decide on which side of the controversy the public interests are greater.

TEMPORARY TRACKS.

The bill authorizes the use of temporary tracks during the construction of the works authorized. This authority is very necessary, but owing to the change of route it need be used only to a small extent, as, with the exception of a few squares, the existing tracks can be used until the new ones are ready for occupation, thus reducing to a minimum the inconvenience to the public ordinarily incident to a work of this magnitude.

AUTHORITY TO ACQUIRE LAND, ETC.

The bill proposes to authorize the company to establish such additional freight and passenger stations as it may find necessary, at such points as may be approved by the Commissioners, and also to acquire any desired land adjacent to the streets along which the railroad or works of the company are situated.

It is deemed advisable to limit this authority to lands within the city limits west of Second street east, and east of North Capitol street.

SIDINGS INTO ADJACENT PROPERTY.

The company is authorized by the bill to run sidings into property adjacent to its line of road when desired by the owner of the same, the work to be done in accordance with plans approved by the Commissioners, and no grade crossings to be created thereby. This is believed to be a wise provision, as it will tend to develop the adjacent land into business property and to enhance its value.

DIVISION OF COSTS.

The estimated cost of the works contemplated in the bill is \$5,000,000.

It is proposed that the United States and the District of Columbia shall pay in equal proportion the cost of approaches to railroad crossings, which is estimated to be \$15,000
 The United States and the District of Columbia are to pay in equal proportion on account of the betterments contemplated the sum of 1,500,000

Making the total cost to the public	1,515,000
From this should be deducted the value of the abandoned right of way of the company, outside of street limits, between Winthrop Heights and Delaware avenue, which land is to be deeded to the District in fee simple, being 12.1 acres, valued at \$3,000 per acre	\$36,300
1.6 acres, valued at \$8,125 per acre	13,000
	49,300

Leaving a balance of 1,465,700

With reference to the proposition of the Government paying a million and a half dollars toward the project in question the company states that this amount is half the estimated cost of so much of the plan as relates directly to the abolishing of grade crossings—that is, the change of route and elevation of tracks—and they request the Government to pay this proportion of the proposed work. To this very necessary work they state that they are adding \$2,000,000 more in betterments which will all be to the benefit of the public, and from the estimates submitted to them the Commissioners have reason to believe that the amounts have not been overstated.

Objection has been raised by a few parties in the District to this payment on the ground that the company needs new terminal facilities, which it must obtain for the transaction of its business. But the company states, and the Commissioners have reason to believe, that it now owns sufficient ground to give it all the terminal facilities it would need for fifty years to come, with tracks on grade, at an expenditure of not more than half a million dollars, and that the four or five millions required to do the work called for by the bill is mainly for the improvement and advantage of the District and city.

The company claims that under contracts and agreements made by said company and the municipal authorities, authorized by acts of Congress dated March 2, 1831, and March 3, 1835, under the terms of which the depot was removed from its original site to the site now occupied by it and its tracks were confined to that part of the city east of New Jersey avenue and north of C street, the right to occupy its present site and tracks was authorized and confirmed until 1910. The contract referred to is dated June 15, 1850, and the ordinances authorizing and confirming it are dated, respectively, May 31, 1850, and January 17, 1867.

The Commissioners believe, after examination and consultation, that there is merit in the claim of the company, and that should it not be willing to abandon the present routes and elevate its road it could not be compelled to do so even by Congress prior to 1910 without compensation.

The company states quite frankly that, under the circumstances, they expect assistance in carrying out so much of the plan as relates directly to changing their routes, elevating their tracks, and removing

them from grade for the purpose of improving the city and for the convenience of street traffic.

Considering the advantages which will be derived by said city and the public generally and the vastly greater expense proposed to be incurred by the company than what could be required if it stood upon its strictly legal rights under the terms of the contract above referred to, and considering also that railways in other cities of the country have been aided by the city or State, or both, in the work of abolishing grade crossings, the Commissioners feel that the request of the company is equitable and not immoderate.

The manner in which payments are to be made is considered very reasonable. A sinking fund is to be established, and the million and a half dollars is to be paid only upon presentation of a certificate from the Commissioners that the work required by the bill has been satisfactorily executed.

It is believed that the value of the benefits and improvements resulting from the proposed changes will exceed considerably, even at the present time, the million and a half dollars which the Government is required to pay and that the ultimate benefits will be of still far greater magnitude.

TAXATION.

It is recommended that a provision be included in the bill that the property occupied by the company under authority conferred by the bill, should it become a law, together with the improvements which may be put thereon, shall be subject to taxation by the District of Columbia the same as other property in said District.

ACQUIREMENT OF NECESSARY LAND.

In cases where the company can not agree with the owners for the purchase of any land it is authorized to acquire, it is believed that power should be given it, where necessary, to take immediate possession of such parcels as may be needed, upon filing with the court good and sufficient bond to insure the payment of its value when duly determined by the proper authorities. If this is not done condemnation proceedings may delay seriously the execution of the work and add considerably to the time and difficulty of bringing about the desired improvements in the railroad situation.

AMENDMENTS.

In accordance with the suggestions contained in the report, the Commissioners recommend that the bill be amended as follows:

Add the following at the end of line 20, page 2: "*Provided*, That no portion of any street shall be closed under authority of this act until said railroad company shall have secured control of the property abutting upon said portion to be closed, it being the intent hereof that no property owner shall be deprived of egress from or ingress to his property."

Strike out all of section 3 down to the word "New," in line 5, page 5, and insert in lieu thereof the following: "SEC. 3. That to accomplish the purposes of this act the following-named streets in the subdivision of Eckington, east of the right of way of the Metropolitan

Branch of the Baltimore and Ohio Railroad Company, shall be completely vacated and abandoned by the public and closed to public use, namely: Q, R, Third, Fourth, Fifth, and Randolph streets; S and Seaton streets west of Sixth street, and Sixth street south of S street. The Brentwood road shall also be closed between S street and Florida avenue."

Add at the end of line 21, page 5, the following: "Provided, That M street may be crossed by a metal bridge instead of a masonry arch, if desired, in order to avoid any change in the grade of said street."

Strike out of line 2, page 6, the words: "F street between First street and Massachusetts avenue."

Page 6, line 14, after the word "avenue," insert the words: "and F street."

Page 6, line 15, strike out the words "as shown on the said plan" and insert in lieu thereof the words: "in accordance with plans approved by the Commissioners of the District of Columbia."

Page 7, line 20, strike out the word "District" and insert in lieu thereof the words: "city limits west of Second street east, and east of North Capitol street."

Page 13, line 15, after the words "SEC. 8" insert the following: "That the property occupied by the Baltimore and Ohio Railroad Company, or by the proposed terminal company, under authority of this act, together with the improvements which may be put thereon, shall be subject to tax by the District of Columbia the same as other property in the District of Columbia: *Provided*."

Attention is invited to the fact that under the terms of the bill the company would be authorized to acquire the premises in square 683 now occupied by the Senate stables and District engine house No. 3. The question of providing premises in lieu thereof is left to Congress.

A copy of the bill containing the amendments suggested above is inclosed. With the amendments, the Commissioners recommend that a favorable report be made upon the bill.

Very respectfully yours,

JOHN B. WIGHT,

JOHN W. ROSS,

LANSING H. BEACH,

Commissioners of the District of Columbia.

(Amended bill, blue prints showing plans as set forth in bill, and map showing plan recommended by Eckington Citizens' Association inclosed.)

APPENDIX II.

BALTIMORE AND OHIO WASHINGTON TERMINAL IMPROVEMENTS.

ESTIMATED COST.

CUT-OFF FROM MONTELLO TO FLORIDA AVENUE.

Right of way and property:

50 acres, at \$5,000, including damages.....	\$250,000.00
44 acres, at \$2,500, including damages.....	110,000.00
Excavation, 205,500 cubic yards, at 35 cents.....	71,925.00
Masonry, 17,000 cubic yards, at \$9.....	153,000.00
Bridges.....	111,935.00
Arch masonry, 20,000 cubic yards, at \$9.....	180,000.00
Iron railing, 2,000 linear feet, at \$1.50.....	3,000.00
Track (main), 2,000 linear feet, at \$1.15.....	23,000.00
Ballast, 11,500 cubic yards, at \$1.....	11,500.00
	*\$914,360.00

METROPOLITAN BRANCH CONNECTION.

Right of way, 132,000 square feet, at 25 cents.....	\$33,000.00
Embankment, 50,000 cubic yards, at 35 cents.....	17,500.00
Track (main), 6,000 linear feet, at \$1.15.....	6,900.00
Ballast, 3,500 cubic yards, at \$1.....	3,500.00
Bridge, T street	15,000.00
	75,900.00

ECKINGTON YARD.

Property, 500,000 square feet, at 25 cents.....	\$125,000.00
Filling, 450,000 cubic yards, at 35 cents	157,500.00
Track in yard, 53,000 linear feet, at \$1	53,000.00
Ballast (cinder), 35,000 cubic yards, at 35 cents.....	12,250.00
Frogs and switches, 80 sets, at \$50.....	4,000.00
Slip switches, 2 sets, at \$350.....	700.00
Roundhouse	* 100,000.00
Turntable	* 5,000.00
Water tank and connections.....	* 2,500.00
Shops and buildings	* 10,000.00
Coal trestle	* 15,000.00
	484,950.00

FLORIDA AVENUE TO SOUTH SIDE OF G STREET.

Viaduct, 65,000 cubic yards, at \$9.....	*\$585,000.00
Filling, 60,000 cubic yards, at 35 cents	* 21,000.00
Iron railing, 6,800 linear feet, at \$1.50.....	* 10,200.00
Interlocking	20,000.00
Track, 17,000 linear feet, at \$1.15.....	19,550.00
Ballast, 11,000 cubic yards, at \$1	11,000.00
	666,750.00

TERMINALS SOUTH SIDE OF G STREET TO C STREET.

Property.....	\$1,250,000.00
Retaining wall, etc., 90,000 cubic yards, at \$9.....	* 810,000.00
Filling, 1,500,000 cubic yards, at 35 cents.....	* 525,000.00
Ballast (cinder), 35,000 cubic yards, at 35 cents.....	12,250.00
Interlocking	30,000.00

Paving driveways, 30,000 cubic yards, at \$2	\$60,000.00
Station building	250,000.00
Platforms and pavements, 14,000 cubic yards, at \$2	28,000.00
4-inch granite curbing, 8,100 linear feet, at \$1	*8,100.00
Iron railing, C street, 635 linear feet, at \$2	*1,270.00
Iron railing, walls, 6,550 linear feet, at \$1.50	*9,825.00
Iron railing, train shed, 1,576 linear feet, at \$3	4,728.00
Train shed	240,000.00
Freight shed	150,000.00
Track, 54,000 linear feet, at \$1.15	62,100.00
Ballast, 5,625 cubic yards, at \$1	5,625.00
Frogs and switches, 50 sets, at \$50	2,500.00
Slip switches, 23 sets, at \$350	8,050.00
	<hr/>
	\$3,457,448.00
	<hr/>
	5,599,408.00

(Note.—Items marked * included in other estimate.)

COST ATTRIBUTABLE TO ELEVATION AND CHANGE OF LINE.

CUT-OFF FROM MONTELLO TO FLORIDA AVENUE.

Right of way and property:

50 acres, at \$5,000, including damages	\$250,000.00
44 acres, at \$2,500, including damages	110,000.00
Excavation, 205,500 cubic yards, at 35 cents	71,925.00
Masonry, 17,000 cubic yards, at \$9	153,000.00
Bridges	111,935.00
Arch masonry, 20,000 cubic yards, at \$9	180,000.00
Iron railing, 2,000 linear feet, at \$1.50	3,000.00
Track (main), 20,000 linear feet, at \$1.15	23,000.00
Ballast, 11,500 cubic yards, at \$1	11,500.00
	<hr/>
	\$914,360.00

METROPOLITAN BRANCH CONNECTION.

Embankment, 30,000 cubic yards, at 35 cents	10,500.00
---	-----------

ECKINGTON YARD.

Filling, 270,000 cubic yards, at 35 cents	\$94,500.00
Roundhouse	100,000.00
Turntable	5,000.00
Water tank and connections	2,500.00
Shops and buildings	10,000.00
Coal trestle	15,000.00
	<hr/>
	227,000.00

FLORIDA AVENUE TO SOUTH SIDE OF G STREET.

Viaduct, 65,000 cubic yards, at \$9	\$585,000.00
Filling, 60,000 cubic yards, at 35 cents	21,000.00
Iron railing, 6,800 linear feet, at \$1.50	10,200.00
	<hr/>
	616,200.00

TERMINALS SOUTH SIDE OF G STREET TO C STREET.

Retaining walls, 90,000 cubic yards, at \$9	\$810,000.00
Filling, 1,500,000 cubic yards, at 35 cents	525,000.00
4-inch granite curbing, 8,100 linear feet, at \$1	8,100.00
Iron railing, C street, 635 linear feet, at \$2	1,270.00
Iron railing, walls, 6,550 linear feet, at \$1.50	9,825.00
	<hr/>
	1,354,195.00
	<hr/>
	3,122,255.00

APPENDIX III.

DIVISION OF COSTS OF GRADE CROSSINGS.

FEBRUARY 12, 1900.

To the Northeast Washington Citizens' Association:

Your committee on railroads has the pleasure to report that on January 11 last a bill providing for the abolition of grade crossings, prepared by the Baltimore and Ohio Company, was introduced in the United States Senate and is now before the District Commissioners for their consideration and report.

Of course it can not be expected that a bill emanating from such a source could be all that is generally desired; but taking into consideration that railroads are a necessity in any community, and are servitors of no mean proportions, and that the convenience of the traveling public and our merchants and other citizens is coequal with the prosperity of our railroads, there are some things which we must yield on the principle of the greatest good to the greatest number. Therefore we most respectfully submit and recommend that the bill should be amended by requiring the railroad company to increase the width of C street from New Jersey avenue to First street east at least 40 feet in order to provide for the increased traffic in front of their station. We would also emphasize the proposition that the parked spaces on the line of Delaware avenue north of Massachusetts avenue be left undisturbed as parks, and that the use of any part of North Capitol street or of that part of First street east, south of F street, be expressly prohibited.

The closing of F street, as provided for in the bill, should meet with our most uncompromising resistance.

To the other portions of the bill, so far as they relate to the route south of Florida avenue, we might give our passive acquiescence.

To that portion of the proposed route north of Florida avenue we would suggest the practicability of keeping farther to the eastward and locating the Y farther to the northward, so that the streets in Eckington may not be disturbed either by the presence of tracks, roundhouses, or repair shops. We are also of the opinion that the necessary changes of grade and any damage accruing to private property along the proposed route should be borne by the railroad company.

So far as we can learn the plans for the viaduct south of Florida avenue provides for a series of arches. To our mind's eye this seems to be a plan of architectural merit and pleasing effect, besides being of sufficient importance to adjacent private property that such openings should be kept open and unobstructed. But inasmuch as in other cities where such structures exist the area within the arches is sometimes used for warehouses, stables, and other purposes of the railroad companies, we would suggest that these archways, when so used, should pay a revenue to the District government. and that if the

Government at any time should desire to use such archways it shall have the right to do so free of cost.

The bill allows five years for the completion of the work, but it is claimed by some engineers that it may be completed within three years. For these reasons we would recommend that the period of six years allowed for maintaining the tracks along the Deaf Mute College grounds, and the roundhouses and the works in Trinidad, be limited to six months from the completion and occupancy of the proposed new tracks.

The question of the division of costs of the structural work necessary to change from surface to elevated tracks, we think, is one that can safely be left to the discretion of Congress and the District Commissioners, because, so far as we are able to learn, the proportions vary in the many cities and States where such changes as are contemplated here have been made.

W. J. FRIZZELL,
Chairman of Committee on Railroads.

MARCH 12, 1900.

To the Northeast Washington Citizens' Association:

Under date of February 12 last, your committee on railroads submitted a report recommending, among other things, that the division of costs for the proposed work of elevating the Baltimore and Ohio tracks and abolishing grade crossings be left to the discretion of Congress and the District Commissioners. This proposition has been acquiesced in by several of our citizens' associations directly interested, and is opposed by only a few persons who have no community of interest in anything pertaining to the welfare of the whole city, and can see no farther than their own immediate neighborhoods.

Your committee has taken the trouble to inquire into the methods followed in other cities relative to the division of costs of abolishing grade crossings and submit a few examples, as follows:

By an ordinance of the city of Philadelphia, Pa., approved March 5, 1892, the city appropriated \$30,000 to abolish grade crossings on the Philadelphia and Trenton Railroad at Comly, Longshore, Washington, and Union streets.

By another ordinance, April 10, 1893, the city appropriated \$30,000 to abolish grade crossings on the Philadelphia and Trenton Railroad at Cottman street, and on the Princeton and Holmesburg Railroad at Hagerman street.

By another ordinance, February 12, 1897, the city appropriated \$900,000 to change the grade of streets and to abolish grade crossings from Norris street to Butler street on the line of the Philadelphia and Trenton Railroad, and released the Pennsylvania Railroad Company, lessee of the Philadelphia and Trenton Railroad, from any liability for damages on account of this work.

By another ordinance, March 26, 1897, the city appropriated \$25,000 to abolish grade crossings on the Philadelphia and Trenton Railroad at Magee and Vankirk streets.

By another ordinance of the same date the city appropriated \$35,000 to abolish grade crossings on the Philadelphia and Trenton and Frankford and Holmesburg railroads at Rhawn street.

In each of the above cases the mayor was authorized to enter into bond on behalf of the city for the payment of any damage accruing to property by reason of change of grade or otherwise.

You will see from the above that the city of Philadelphia by five separate ordinances contributed \$1,020,000 as its proportion of the cost of abolishing grade crossings in that city on the line of one of its smaller steam railroads.

We find that the State of Connecticut has a statute which provides that whenever any city or town desires the elimination of grade crossings, such city or town shall pay 25 per cent of the costs where such crossing antedates the construction of the railroad and 50 per cent if such crossing has been laid since the construction of the railroad. If a railroad desires to make any such change, it shall pay the whole expense thereof.

By a special act of the Connecticut assembly, the changes made necessary for eliminating grade crossings by elevating the tracks and constructing two additional main tracks, etc., on the New York division of the Pennsylvania Railroad, the city of Bridgeport was required to pay such proportion of the cost as should be determined by agreement or by order of the railroad commissioners of the State.

In the same State the city of New Haven paid one-half of the cost of carrying the steam railroad tracks over East Chapel street.

By special act of the legislature of Massachusetts, providing for a change of grades, etc., on the Providence division of the Pennsylvania Railroad in the city of Boston, 55 per cent was paid by the railroad company and 45 per cent by the Commonwealth, the city of Boston being required to refund the State 30 per cent of the whole cost.

For similar changes in Brockton, Mass., including new stations, yards, tracks, etc., the railroad company paid 65 per cent, the State 25 per cent, and Brockton 10 per cent.

The law of the State of Massachusetts now provides that no matter from which side an application is made to abolish grade crossings, 65 per cent shall be paid by the railroad company, 25 per cent by the State, and 10 per cent by the municipality.

A recent law of the State of New York divides the cost of abolishing grade crossings as follows: 50 per cent by the railroad company, 25 per cent by the State, and 25 per cent by the municipality.

In a letter dated October 16, 1899, Mr. William Jackson, city engineer of Boston, states that in a special case involving an expenditure of \$4,000,000 the State and the city of Boston paid 45 per cent (of which the city assumed 13.5 per cent) and the railroad company paid 55 per cent.

In a letter dated October 17, 1899, Mr. G. S. Webster, chief engineer of Philadelphia, states that in the construction of the Pennsylvania avenue subway whereby 16 grade crossings were abolished, involving an expenditure of \$3,000,000, the city paid one-half and the Philadelphia and Reading Railway Company paid the other one-half.

The foregoing are only a few of the cases that have come to the knowledge of your committee, and we content ourselves by reciting them. We deem it too tedious to go into details of similar cases, such as Rochester and other cities in New York, and Pittsburg and other cities in Pennsylvania, and especially in the case of the Atchison, Topeka and Santa Fe Railroad in St. Louis, Mo., where the conditions were nearly identical with ours on the Baltimore and Ohio road.

We may be asked, "How much did the city of Baltimore, Md., contribute to the Baltimore and Ohio tunnel under said city?" To the unbiased mind but one answer is necessary, which is that no disadvantage was suffered nor advantage gained by Baltimore in any of the conditions or changes, and no equitable reason existed for the city to pay toward accomplishing a shorter route and a saving in time for the great benefit of the railroad company.

In several other cities, under circumstances similar to those that existed in Baltimore, railroad companies have found it advantageous to themselves by shortening routes and saving time to do the whole work at their own expense.

In this city the jeopardy to life and limb will be lessened, the loss of valuable time by detentions and obstructions at crossings will be abolished, and real property values and revenues therefrom will be increased in some cases as much as fourfold, as we have reason to think, within a short time; and while we do not wish to put ourselves on record as fully indorsing the payment of \$1,500,000 asked by the Baltimore and Ohio Railroad Company, we think all fair-minded men will agree that the equities of the case demand some consideration, and we firmly adhere to our former recommendation that the United States Senators and the Representatives in Congress from the cities and districts where such work has been done, and the Commissioners of the District of Columbia and practical railroad engineers have ample facilities for ascertaining the proper division of costs, and we most confidently leave it to their determination.

We are pleased to report, further, that the District Commissioners, in their report on the bill presented to the Senate Committee on the District of Columbia on the 27th ultimo, recommended an amendment that F street be not closed, and adopted other of our minor suggestions. As the case now stands, we are of the opinion that the Commissioners and this association are in perfect accord as far as the bill relates to conditions south of Florida avenue.

W. J. FRIZZELL,
Chairman for Committee on Railroads.

At a meeting of the Northeast Washington Citizens' Association held on March 12, 1900, the above report was unanimously adopted and the committee on proposed legislation was directed to submit copies of the same to Congress.

EVAN H. TUCKER, *President.*

Baltimore and Potomac Railroad Company—Act approved February 12, 1901.

[PUBLIC—No. 49.]

An Act To provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company, in the city of Washington, District of Columbia, and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Baltimore and Potomac Railroad Company be, and it is hereby, empowered, authorized, and required to revise, change, and improve the alignment and grade of its railroad, and to relocate parts thereof within the city of Washington, in the District of Columbia, as hereinafter provided, to wit:

Beginning at a point in its present tunnel under Virginia avenue near the intersection of Eleventh street southeast, and extending thence by a continuation of said tunnel, with a width sufficient for not less than two nor more than four tracks, along and under Virginia avenue to the west side of Second street southeast; thence in the open, with a width sufficient for four main tracks, along what would be Virginia avenue if extended through reservation seventeen, now called Garfield Park, to another section of Virginia avenue as now opened at South Capitol street; thence along said last-mentioned section of Virginia avenue to a connection with its present four main tracks and right of way near Delaware avenue; thence continuing said four tracks along and on said Virginia avenue and Maryland avenue to the Potomac River; and also from points on said last-described line, that is to say, from east of Sixth street southwest; thence by a curved line with three tracks crossing over Sixth street southwest, Maryland avenue, and B street southwest, to and upon that portion of the Mall hereinafter described; and from a point west of Seventh street southwest by a curved line, with three tracks over Seventh street southwest, Maryland avenue, and B street southwest, to and upon said portion of said Mall, with such grade, and at such elevations, with reference to the streets of said city, and on such locations as are shown on plans and profiles prepared by said railroad company, and approved by the Commissioners of the District of Columbia, and as hereinafter specified; it being the purpose of this Act that the said railroad shall be located under Sixth street southeast, Fifth street southeast, Fourth street southeast, Third street southeast, and Second street southeast, in a tunnel as aforesaid; that New Jersey avenue shall be carried over said railroad on an iron or steel bridge; and that said railroad shall be carried over South Capitol street, Delaware avenue, First street southwest, Second street southwest, Third street southwest, Four-and-a-half street southwest, Sixth street southwest, Seventh street southwest, Maryland avenue, and B street southwest, and that Ninth street southwest, Tenth street southwest, Eleventh street southwest, and Twelfth street southwest shall be carried over said railroad on iron or steel bridges. The railroad shall also be carried over Water street southwest.

REMOVAL OF TRACKS FROM SIXTH, K, AND CANAL STREETS.

SEC. 2. That the said Baltimore and Potomac Railroad Company be, and it is hereby, required to remove its present eastern connection between its passenger station and its line on Virginia avenue via Sixth street, including all tracks on Sixth street, and its western connection via Maryland avenue, and to change and relocate its tracks connecting with the new terminus contemplated by this Act, in the manner authorized and provided by the preceding section hereof, and as shown on the plans and profiles in said section referred to, and also shall remove its tracks from K street and Canal street, east of New Jersey avenue southeast; and said tracks which are to be abandoned shall be removed within sixty days after the new track is ready for use, and the roadway of said Sixth street between B street south and B street north shall be provided with a modern pavement at the expense of said railroad company, to the satisfaction of the Commissioners of the District of Columbia.

STATION BUILDING.

SEC. 3. That in order to accommodate the increasing passenger, mail, express, and other traffic in the city of Washington the said Baltimore and Potomac Railroad Company shall have and be possessed of the right, which is hereby granted and conferred, to occupy and use, on the conditions hereinafter mentioned, that portion of the Mall lying between B street southwest and B street northwest as the southerly line of said B street northwest is hereinafter defined, and between the west line of Sixth street and a line drawn parallel therewith and three hundred and forty feet west thereof, and to erect and maintain thereon a station building and appurtenances, train sheds, and tracks and sidings in connection therewith suitable and adequate for the convenient accommodation of said traffic; and the said Baltimore and Potomac Railroad Company shall, in connection with its occupation and use of the portion of the Mall hereby granted, locate, construct, and maintain beneath its tracks and structures on the line of West Capitol street, as shown on the city maps, a substantial arch or arches not less than two hundred feet in width, as a public passageway for vehicular and pedestrian traffic (as shall be approved by the Commissioners of the District of Columbia), which shall be so constructed as to afford roadways and sidewalks; and the said company shall also pave the said passageways at the time of their construction to the satisfaction of the Commissioners of the District of Columbia, but thereafter the maintenance of the pavement and roadways shall devolve upon the said District of Columbia. The station building to be erected on the Mall shall cost not less than one million five hundred thousand dollars, inclusive of the car sheds, which shall be of ornamental or monumental character, and shall be designed, so far as practicable, so as not to impair the appearance of the Mall; the plans thereof to be approved by the Secretary of War: *Provided*, That upon the lands on the Mall hereby granted to the use of the Baltimore and Potomac Railroad Company no freight depot, warehouse, or other structure, except such as is necessary to its use as the site of a passenger station, shall be erected; and that no tracks, except such as are necessary to the service of such passenger station, shall be laid or operated on said land.

TEMPORARY TRACKS.

SEC. 4. That if it should at any time be deemed necessary or advisable, in the construction of the works herein authorized, to lay temporary tracks on any street or avenue to accommodate the business of the Baltimore and Potomac Railroad Company pending the completion of such works, the said company may lay such temporary tracks, subject to the approval and under the direction of the Commissioners of the District of Columbia, and shall remove the same and restore every such street or avenue to its former condition, to the satisfaction of said Commissioners, within sixty days after the time fixed for the completion of the works herein authorized.

REMOVAL OF FISH COMMISSION BUILDING.

SEC. 5. That the United States Fish Commission building and appurtenances, now located on that part of the Mall hereby granted to said Baltimore and Potomac Railroad Company, shall be removed therefrom and rebuilt on the said Mall west of the portion thereof so granted to said railroad company, under the directions of, and according to plans approved by, the Chief of Engineers of the United States Army; and the cost of such removal and rebuilding shall be defrayed by the said Baltimore and Potomac Railroad Company to an amount not exceeding forty thousand dollars: *Provided*, That the expense of such removal and rebuilding in excess of forty thousand dollars shall be paid by the United States.

RETAINING WALLS.

SEC. 6. That in elevating or depressing its tracks, as hereinbefore authorized, the said railroad company is hereby required to support the sides of all embankments and excavations made in the streets wherein the same are located with suitable retaining walls of stone. These walls, in cases of excavation, shall be carried to a height of four feet above the revised grades of said streets, or shall be provided with suitable iron railings. The space to be occupied and used by the said railroad company where its tracks are depressed on Maryland avenue shall not exceed fifty-eight feet between the inside faces of the parallel retaining walls, measured at the level of the said tracks, as shown on said plans and profiles.

STREETS TO BE VACATED.

SEC. 7. That to enable said Baltimore and Potomac Railroad Company to effect the revision, change, and improvement in the alignment and grade of its railroad, and the relocation of parts thereof as authorized and contemplated by this Act, the following-named streets and crossings in said city of Washington shall be, upon the completion of the work herein authorized, completely vacated and abandoned for public use, namely:

Canal street, as located and shown on the city maps, between South Capitol street and New Jersey avenue.

G street southeast and H street southeast, between South Capitol street and New Jersey avenue.

I street southeast, between First and South Capitol streets.

Virginia avenue, on the south side of the said railroad, between Second street and Four-and-a-half street southwest, and on the north side of the said railroad between Four-and-a-half street and Seventh street southwest.

Maryland avenue, on the south side of said railroad, between Ninth and Tenth streets southwest.

Maryland avenue, between Twelfth and Fourteenth streets southwest; and in consideration of, and in connection with, the vacation of said portion of Maryland avenue between Twelfth and Fourteenth streets southwest, the said railroad company shall acquire and dedicate to the District of Columbia the necessary property to increase the present width of D street southwest, between Twelfth and Fourteenth streets southwest, thirty feet on the south side thereof.

Thirteenth and Thirteen-and-a-half streets, between D and Water streets southwest, and

E street southwest, between Twelfth street southwest and Water street.

The following-named streets are hereby vacated and abandoned, namely:

F street southwest and E street southwest, where they cross the said railroad;

D street southwest, between Four-and-a-half and Sixth streets southwest;

C street southwest, between Sixth and Seventh streets southwest:

Provided, however, That nothing herein contained shall be construed to prohibit the public authorities from entering upon vacated and abandoned streets and avenues for the purpose of locating, constructing, maintaining, or repairing therein sewers, water mains, gas mains, conduits, or other underground construction necessary for the public comfort, convenience, or health: *And provided further,* That no portion of any street shall be closed under authority of this Act until said railroad company shall have secured control of the property abutting upon said portion to be closed, it being the intent hereof that no property owner shall be deprived of egress from or ingress to his property.

CHANGES IN GRADE; WIDENING B STREET.

The Commissioners of the District of Columbia are hereby authorized and directed to make all such changes in the lines and grades of any street or streets in said city as may be reasonably required or deemed necessary or advisable in connection with the revision, change, improvement, and partial relocation of said railroad by this Act contemplated, and particularly are authorized and directed to widen B street northwest, on its southerly side, between Sixth and Seventh streets, so as to conform to the southerly line of said street as it now exists west of Seventh street, and to widen Seventh street on its easterly side between B street northwest and the northerly line of West Capitol street, as shown on the city maps, as follows: For a distance of one hundred and thirty feet south from the southerly line of said B street northwest, when widened as herein authorized, to a width of two hundred and twenty feet, and for the residue of the distance to the northerly line of West Capitol street to a width not exceeding one hundred and thirty feet.

GARFIELD PARK.

SEC. 8. That in consideration of and in connection with the changes and improvements to be made in the said railroad by the Baltimore and Potomac Railroad Company, in conformity with the requirements of this Act, the said railroad company shall have and be possessed of the right and privilege, which are hereby expressly granted and conferred, to occupy and use, for tracks and other corporate purposes, all that portion of reservation seventeen, now known as Garfield Park, which lies to the southward of its main tracks when located as authorized by this Act, as well as that portion thereof which shall be occupied by said main tracks as located on said plans and profiles; and also the like right and privilege to occupy and use, for similar purposes, the parts or portions of the several streets and crossings which are by this Act vacated and abandoned.

DIVISION OF COSTS.

SEC. 9. That the entire cost and expense of the revision, changes, relocations, and improvements of and in said railroad, as authorized and required by the preceding sections of this Act, and of all structures connected therewith or incidental thereto, shall be borne, paid, and defrayed in manner following, to wit: The said Baltimore and Potomac Railroad Company shall bear, pay, and defray all cost and expense of the relocations, elevation, and depression of its tracks within the limits of its right of way as are authorized and required by this Act, including the construction of so much of the bridges conveying streets over its tracks, right of way, and other property as shall be within the limits thereof, and the reconstruction within such limits of the streets which shall be carried beneath the same, the cost and expense of removing its tracks from Sixth street north of Virginia avenue, and from K street and Canal street, and the restoration of such parts of said streets for the uses of the public, and the cost and expense of constructing and maintaining the arch or arches for passageways underneath its said tracks located on the Mall, as well as the original cost of paving the roadways and sidewalks to be located within the said passageways. All other costs, expenses, and damages resulting from, incidental to, or connected with the revisions, changes, and improvements in alignment and grades of said railroad, or the relocations thereof by this Act required and authorized, and from changes in the grades of the streets or the railroad, and the lawful operation of the said railroad upon the location and structures contemplated and required by this Act, and whether to property owners affected thereby or otherwise, as well as the cost and expense of all street approaches to said company's tracks and right of way, whether overhead by means of bridges or under grade, shall be borne, paid, and defrayed in manner following, to wit: Fifty per centum thereof by the United States and the remaining fifty per centum thereof by the District of Columbia, which last-mentioned fifty per centum shall be levied and assessed upon the taxable property and privileges in said District other than the property of the United States and of the District of Columbia.

All work within the limits of the said railroad company's right of way, including the bridges within said limits, shall be done by said

railroad company to the satisfaction and approval of the Commissioners of the District of Columbia, who are authorized to exercise such supervision over the same as may be necessary to secure the proper construction and maintenance of the said work. And all work which is without the limits of the right of way of said railroad company shall be done by the District of Columbia.

PROPERTY TO BE ACQUIRED BY PURCHASE OR CONDEMNATION.

SEC. 10. That to enable the Baltimore and Potomac Railroad Company to effectuate the purposes contemplated and authorized by this Act, the said company be, and they are hereby, authorized and empowered to acquire, either by purchase or condemnation, as hereinafter provided, and, when so acquired, to use the same for tracks and other corporate purposes, and make all such improvements thereon and thereto as may be deemed necessary, the following properties, to wit: All of squares four hundred and sixty-two, four hundred and sixty-three, four hundred and sixty-three south, and four hundred and ninety-three; and also as much land as may be required for tracks and other corporate purposes which lies to the south of the present main tracks of the company between South Capitol and First streets southeast and north of the northerly line of M street: *Provided, however,* That if land shall be acquired south of the present railroad yards and between South Capitol and First streets southeast as in this section authorized the said railroad company shall, when so required by the Commissioners of the District of Columbia, make adequate and suitable provision for carrying such streets as may intersect the same across the tracks which shall be located thereon by overhead bridges in a manner satisfactory to the said Commissioners: *Provided further,* That the cost and expense of raising grades of streets and all approaches to such bridges shall be borne and defrayed by the District of Columbia and the United States, as hereinbefore provided.

In case the said Baltimore and Potomac Railroad Company can not, for any reason, agree with the owner or owners for the purchase, use, or occupation of any of the land it is authorized to acquire by purchase or condemnation, then the same may be acquired by the said company in the same manner and by the same procedure as are provided by sections six hundred and forty-eight to six hundred and sixty-three, both inclusive, of the Revised Statutes, relating to the District of Columbia: *Provided,* That in every case in which an assessment of the damages or an award shall have been returned by the appraisers the company, upon paying into court the amount so assessed or awarded, may enter upon and take possession of the land and property covered thereby irrespective of whether exceptions to said assessment or award shall be filed or not, and the subsequent proceedings shall not interfere with or affect such possession, but shall only affect the amount of the compensation to be paid. And it shall be lawful for said Baltimore and Potomac Railroad Company to extend and construct, from time to time, branch tracks or sidings from the lines of railroad authorized by this Act into any lot or lots adjacent to any street or avenue along which said lines of railroad are located, upon the application of the owner or owners of such lot or lots, to enable such owners to use their property for the purposes of coal, wood, or lumber yards, manufactories, warehouses, and other business enter-

prises: *Provided, however,* That no grade crossing of any street or avenue within the city of Washington shall be thereby created, but such connecting tracks shall be carried across such street or avenue in such manner as not to obstruct the free use thereof, and the plans of such connecting tracks shall in every case be first filed with and approved by the Commissioners of the District of Columbia: *Provided further,* That as to square southeast of square two hundred and sixty-seven and square two hundred and seventy the Southern Railway Company (a railroad corporation of the State of Virginia, whose trains now move and are expected to continue to move to and from Washington over the tracks of the said Baltimore and Potomac Railroad Company and Washington Southern Railroad Company under agreements existing or hereafter to be made with the last-named companies granting the necessary right therefor) and its successors shall have the same rights of acquisition by purchase or condemnation, to be exercised under the same conditions, as are in this Act provided for the acquisition of additional land by the Baltimore and Potomac Railroad Company; and such squares when so acquired may be used by said Southern Railway Company and its successors to accommodate the handling and delivery of local freight traffic and for its other corporate purposes in the District of Columbia.

LONG BRIDGE.

SEC. 11. That inasmuch as the present Long Bridge over the Potomac River is inadequate for the accommodation of the largely increased railroad and vehicular traffic, is in a measure obstructive of navigation, and needs to be reconstructed, the Baltimore and Potomac Railroad Company is hereby directed and required to remove the present Long Bridge across the Potomac River, and, in accordance with plans to be approved by the Secretary of War, to build on practically the same line a new bridge in lieu thereof, said new bridge to be for railroad purposes only and to be adapted for two or more railway tracks, the Long Bridge to be removed and the new bridge constructed within four years from the date of the passage of this Act. The said Baltimore and Potomac Railroad Company shall remove the Long Bridge and shall build, maintain, and keep in repair said new bridge at its own cost and expense, and shall maintain an efficient draw in said new bridge, operating the same so as not to unnecessarily impede the free navigation of the Potomac River at any hour of the day or night, and shall give other railroad companies the right to pass over said bridge upon such reasonable terms as may be agreed upon between the companies or prescribed by Congress.

PASSENGER BRIDGE.

SEC. 12. That the Secretary of War be, and he is hereby, authorized to enter into a contract with the Baltimore and Potomac Railroad Company or any other party to construct within two years after the passage of this Act, at a point not less than five hundred feet above the site of the present Long Bridge, a new and substantial bridge for highway travel, of iron or steel, resting upon masonry piers and provided with suitable approaches, and with a sufficient draw, all in accordance with plans and specifications to be approved by the Secretary of War; and

there is hereby appropriated (one-half out of the revenues of the District of Columbia and one-half out of any money in the Treasury not otherwise appropriated) the sum of five hundred and sixty-eight thousand dollars, or so much thereof as may be necessary, to be paid from time to time, as the construction of the said bridge progresses, by the Secretary of War, under such regulations as he shall prescribe.

The said bridge shall be for highway traffic, and all street railroads chartered or that may hereafter be chartered by Congress shall have the right to cross said bridge on such terms as may be prescribed by Congress: *Provided*, That the Washington, Alexandria and Mount Vernon Railway Company now using the Long Bridge shall be permitted, with the approval of the Commissioners of the District of Columbia, to change its location so as to cross the highway bridge herein provided for; all plans for such change to be approved by the Commissioners of the District of Columbia and the Chief of Engineers of the United States Army: *And provided further*, That a standard underground electric system of street car propulsion shall be installed by said company on the park highway leading to said bridge, and no dynamo furnishing power to this portion of the road shall be in any manner connected with the ground, and that the cost of asphalt paving between the tracks and two feet outside thereof shall be paid by said company. Each street railway company using said bridge shall pay in addition to other taxes as by its charter provided, one-half of one cent for each and every passenger carried across said bridge.

PLANS TO BE SUBMITTED TO DISTRICT COMMISSIONERS.

SEC. 13. That before any portion of the work herein described shall be authorized plans and profiles of the entire work, except such as relate to the new bridges authorized by sections eleven and twelve, in accordance with the provisions herein contained, shall be prepared by the said Baltimore and Potomac Railroad Company and shall be submitted for approval to the Commissioners of the District of Columbia. Duly authenticated copies of said plans and profiles shall, after approval, be filed with the Commissioners aforesaid, and all work shall be done in accordance with them and shall be completed within five years from the date of the passage of this Act. The company shall also deposit with the collector of taxes of the District of Columbia such sums of money as the Commissioners of said District may reasonably require to cover the cost of District inspection.

TAXATION.

SEC. 14. That the property occupied by the Baltimore and Potomac Railroad Company under authority of this Act, together with the improvements which may be put thereon, shall be subject to tax by the District of Columbia the same as other property in the District of Columbia: *Provided*, That no assessment, valuation, or tax shall be made, laid, or levied on the Baltimore and Potomac Railroad Company on account of any bridges, tunnels, elevated tracks, or subway which shall be located, constructed, or maintained under the authority of this Act, and forming part of said railroad, in excess of that which would or could be lawfully made, laid, or levied if said railroad was wholly located and constructed on the surface of the ground; it being the

true intent and meaning hereof that any such bridges, tunnels, elevated tracks, or subway forming a part of said railroad shall be assessed and valued for purposes of taxation and taxed on the same basis as any other equal portion of railroad situated within the said District of Columbia not constructed on, in, through, or upon any such bridges, tunnels, elevated tracks, or subway.

RIGHTS OF SUCCESSION.

SEC. 15. That all the provisions of this Act, including all rights, powers, and privileges granted to, or duties imposed upon, said Baltimore and Potomac Railroad Company, shall accrue to and devolve upon its successors and assigns; and in case the said Baltimore and Potomac Railroad Company, its capital stock, properties, corporate rights, powers, privileges, immunities, and franchises, shall be merged into or consolidated with the Philadelphia, Wilmington and Baltimore Railroad Company, or any other railroad corporation, to which the assent of Congress is hereby given, then and in that event the company which shall, by such merger or consolidation, so acquire the same shall be invested with and possessed of all the rights, powers, property, and privileges of said Baltimore and Potomac Railroad Company within the District of Columbia, as well those granted by this Act as those heretofore existing, and shall have and exercise all the necessary rights, powers, and franchises respecting the same as fully as they would have been possessed and exercisable by said Baltimore and Potomac Railroad Company.

REPEAL OF CONFLICTING ACTS.

SEC. 16. That all laws or parts of laws inconsistent herewith be, and they are hereby, repealed.

RESERVED RIGHTS OF CONGRESS.

SEC. 17. That Congress reserves the right to alter, amend, or repeal this Act.

Approved, February 12, 1901

Baltimore and Ohio Railroad Company—Act approved February 12, 1901.

[PUBLIC—No. 50.]

An Act To provide for eliminating certain grade crossings of railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore and Ohio Railroad Company in the city of Washington, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Baltimore and Ohio Railroad Company, and the terminal company incorporated as provided in this Act, be, and each of them is hereby, empowered and authorized to locate, construct, maintain, and operate new terminals and new lines of railroad to accommodate the traffic of the said Baltimore and Ohio Railroad Company, in connection with its Washington Branch Railroad and Metropolitan Branch Railroad within the District of Columbia and in the city of Washington, as hereinafter provided. The said new terminals and terminal tracks shall occupy the streets, avenues, public reservations, and property belonging to the United States, and such of the lands and property belonging to others as may be acquired by either of said companies, situate and lying within the area bounded as follows, to wit: Beginning at the intersection of the south line of H street north and a line forty feet from the east building line of Delaware avenue and parallel thereto; thence along said line parallel to the easterly building line of Delaware avenue and forty feet therefrom to the west line of First street east; thence by said west line of First street east to the north line of C street north; thence by said north line of C street north to the east line of North Capitol street; thence north by said east line of North Capitol street to the south line of Massachusetts avenue; thence by a straight line to the intersection of the west line of First street east and the south line of H street north; thence to the point of beginning, or so much of this area as may be found to be necessary for proper terminal facilities and agreed upon between the Baltimore and Ohio Railroad Company and the Commissioners of the District of Columbia: *Provided*, That no portion of any street shall be closed under authority of this Act until said railroad company shall have secured control of the property abutting upon said portion to be closed, it being the intent hereof that no property owner shall be deprived of egress from or ingress to his property.

The main lines of railroad connecting said new terminals and terminal tracks with the present lines of railroad of said Washington Branch and said Metropolitan Branch shall be located as follows: From the south side of H street said lines shall run by a masonry viaduct of width sufficient for five tracks, but not exceeding in width eighty feet, with such turn-outs and sidings to adjoining property as may at any time hereafter be constructed under the authority of this Act, northerly along the middle of Delaware avenue to the north line of M street; thence northerly still in Delaware avenue, with five main tracks, but with the right to locate and construct sidings in Delaware avenue to and into adjoining property, including all of square numbered seven hundred and forty-eight, and crossing Florida avenue overhead by means of a two-span plate-girder bridge, or by masonry arches, to the north side

of Florida avenue; thence by diverging lines crossing over New York avenue by means of a two-span plate-girder bridge or bridges over the same, or by masonry arches; the one line, with two or more tracks, by the most practicable route in a general northeasterly direction, to a point of connection with the present tracks of the Washington Branch Railroad north of Winthrop Heights Station, and the other line, with two or more tracks, in a northerly direction by the most practicable route, to a point of connection with the present tracks of the said Metropolitan Branch Railroad at or near Rhode Island avenue extended.

SEC. 2. That said companies be, and each of them is hereby, authorized and empowered to locate, construct, maintain, and operate, outside of the city limits and south of V street, yard tracks, switches, roundhouses, shops, and other structures necessary or proper for the accommodation of locomotives and cars for the conduct of its business or for the purposes of a freight yard; and also to locate, build, maintain, and operate, beyond the city limits, a branch track or "Y" for the passage of trains directly to and fro between the Metropolitan Branch and the Washington Branch without entering the city: *Provided*, That said roundhouses and shops shall be located within said "Y" as far eastwardly as in the judgment of the Commissioners of the District of Columbia it is practicable.

SEC. 3. That to accomplish the purposes of this Act the following-named streets in the subdivision of Eckington east of the right of way of the Metropolitan Branch of the Baltimore and Ohio Railroad Company shall be completely vacated and abandoned by the public and closed to public use, namely: Q, R, Third between New York avenue and Florida avenue, Fourth, Fifth, and Randolph streets; S and Seaton streets west of Sixth street; and Sixth street south of U street and Seventh street between New York avenue and Brentwood road shall not be opened. The Brentwood road shall also be closed between S street and Florida avenue. New York avenue and Florida avenue shall be carried under said railroad, as provided in the first section of this Act. T and V streets shall be carried under by a subway, or over the Metropolitan Branch Railroad by a bridge or viaduct. Between the north line of M street and the south line of G street all the tracks hereinbefore authorized shall be elevated and carried on a masonry viaduct, which said viaduct shall be so constructed with arches or bridges as to permit each and every intersecting street or avenue in the city to be passed and continued under the same through arched openings or spaces of sufficient clearance to permit the free and unobstructed use of said streets and avenues, in the form and manner and of the dimensions shown and indicated on the plan and profiles agreed upon between the said Baltimore and Ohio Railroad Company and the Commissioners of the District of Columbia, and now on file in the office of the Engineer Commissioner: *Provided*, That M street may be crossed by a metal bridge instead of a masonry arch, if desired, in order to avoid any change in the grade of said street.

The following-named streets within the city limits shall be completely vacated, abandoned, and closed, namely: N street, between Second street east and Third street east, and Delaware avenue shall be closed and abandoned between the south line of Florida avenue and the north line of M street; E street between First street and North Capitol street; D street between First street and North Capitol street, and Delaware avenue between F street and C street, it being the intention of this Act

that all streets, avenues, ways, and alleys within the area to be occupied and used for terminals and terminal tracks, as shown on said plan filed in the office of the Engineer Commissioner, shall be completely vacated, abandoned, and closed, and the use thereof and of any public reservation or street spaces of the United States within said area be granted to the said railroad company or terminal company constructing such terminals for the purposes of the same, except that Massachusetts avenue and F street shall be carried under said terminals by means of arches, in accordance with plans approved by the Commissioners of the District of Columbia.

The Commissioners of the District of Columbia are hereby authorized and directed to cause all streets, avenues, ways, and alleys to be closed, as provided in this Act and in accordance with the intent thereof; and also to make such changes in the existing lines and grades of any street, avenue, or way as may be reasonably required, deemed necessary, or advisable in the construction of the works hereby authorized.

That such portions of the structures carrying T and V streets over and under the tracks of the Baltimore and Ohio Railroad Company as lie within the limits of the right of way of said company shall be built and paid for by said company; and that so much of the change of grade at M street and Florida avenue as may be necessary to carry said highways under the line of the railroad within the limits of the right of way of said company shall be paid for by the railroad company. The approaches, however, to said T street, V street, Florida avenue, and M street, and all of the work not within the right of way at said points shall be made and constructed by and under the supervision of the Commissioners of the District of Columbia and paid for from funds available for the purpose.

SEC. 4. That the Baltimore and Ohio Railroad Company shall, before taking possession of the ground now owned by the United States in square six hundred and eighty-three, secure and convey to the United States a tract of ground containing not less than twenty-one thousand square feet, which location shall be subject to the approval of the Commissioners of the District of Columbia and the Sergeant-at-Arms of the United States Senate, and locate thereon a fire-engine house at a cost of not less than thirty thousand dollars and stables at a cost of not less than fifteen thousand dollars; or, if said company prefers, it may have the said buildings erected by the Commissioners of the District of Columbia by depositing the amounts stated above with the said Commissioners and Sergeant-at-Arms, respectively, and when such buildings have been accepted by the District of Columbia and the Sergeant-at-Arms of the Senate, respectively, or the amounts necessary for their construction deposited as aforesaid, it shall have authority to remove said structures on the ground aforesaid. And the Baltimore and Ohio Railroad Company shall have the right to condemn such land in the city as is hereinbefore required, and for said purposes the provisions of section eleven of this Act are hereby made applicable to the provisions of this section.

SEC. 5. That in addition to the main or terminal station or depot, to be located as hereinbefore provided, the Baltimore and Ohio Railroad Company, or the terminal company incorporated as provided in this Act, may from time to time hereafter construct, establish, and maintain such additional stations or depots, for passengers or freight,

as the company may deem necessary or useful in the conduct of its business, or for the accommodation of the freight and passenger traffic passing over the lines of railroad authorized by this Act, at such point or points within said District as the Commissioners of the District of Columbia shall approve: *Provided*, That no such station or depot within the city limits shall be located east of Second street east, and west of North Capitol street, and it shall be lawful for either of said companies to acquire, by gift, purchase, or condemnation, any land adjacent to any street or avenue along or upon which the lines of railroad and works hereby authorized shall be located, and hold and improve the same in such manner as it may deem necessary or beneficial to accommodate or promote the traffic on said railroad, and to extend and construct tracks of railroad into and upon any lands so acquired and connect the same with the tracks on such adjacent street or avenue: *Provided, however*, That no grade crossing of any street or avenue within the city of Washington shall be thereby created, but such connecting tracks shall be elevated and carried over the portion of such street or avenue crossed in such manner as not to obstruct the free use thereof, and the plans of such connecting tracks and elevated structure shall in every case be first filed with and approved by the Commissioners of the District of Columbia. And it shall be lawful for said companies, or either of them, subject to the same conditions and restrictions, to extend and construct, from time to time, branch tracks or sidings from the lines of railroad authorized by this Act into any lot or lots adjacent to any street or avenue along which said lines of railroad are located, upon the application of the owner or owners of such lot or lots, to enable such owners to use their property for the purposes of coal, wood, or lumber yards, manufactories, warehouses, and other business enterprises.

SEC. 6. That if it should at any time be deemed necessary or advisable in the construction of the works hereby authorized to lay temporary tracks on any street or avenue to accommodate the business of the Baltimore and Ohio Railroad Company pending the completion of such works, the said company may lay such temporary tracks, subject to the approval and under the direction of the Commissioners of the District of Columbia, and shall remove the same and restore every such street or avenue to its former condition, to the satisfaction of such Commissioners, within sixty days after the time fixed for the completion of the works hereby authorized.

SEC. 7. That it is the intention of this Act that the location and construction of the new terminals, terminal tracks, viaduct, and railroad lines hereby authorized within the city of Washington shall be substantially in accordance with the plans agreed upon by and between the Commissioners of the District of Columbia and the Baltimore and Ohio Railroad Company, which plans, with the accompanying drawings, maps, and tracings, signed by the Commissioners and by the chief engineer of such railroad company, are filed in the office of the Engineer Commissioner of said District; but that the company constructing said works shall be authorized to make such minor changes or modifications of or departures from said plans, drawings, maps, and tracings as it may reasonably require or deem necessary, advisable, or advantageous and as the Commissioners shall approve and agree to; and in case of any change or modification of or departure from the present plans the Baltimore and Ohio Railroad Company shall submit

the new plans to the said Commissioners for their approval, and shall file duly authenticated copies of said plans, after approval, with the Commissioners.

All work of construction authorized by this Act which shall affect in any way the existing streets or avenues of the city or District not hereby abandoned and closed shall be done to the satisfaction and subject to the approval of the Commissioners of the District of Columbia, who are authorized to exercise such supervision over the same as may be necessary to secure the proper construction and maintenance thereof. The company shall also deposit with the collector of taxes of the District of Columbia such sums of money as the Commissioners of said District may reasonably require to cover the cost of District inspection.

SEC. 8. That of the works hereby authorized the viaduct and main lines of railroad thereon and extending therefrom to their points of connection with the Washington Branch Railroad and Metropolitan Branch Railroad, respectively, shall be completed, and said new terminals shall be ready for occupancy, within five years from the date of the passage of this Act.

From and after the expiration of five years from the date of the passage of this Act all rights of the Baltimore and Ohio Railroad Company to maintain and operate the present tracks of its Washington Branch Railroad within the limits of the city of Washington, and the present tracks of its Metropolitan Branch Railroad south of the northern line of New York avenue, also extending from the north line of New York avenue to the north line of Q street, and west of the east line of Third street to said north line of New York avenue, shall cease and determine; and the said railroad company shall thereupon, within such reasonable time as the Commissioners of the District of Columbia shall prescribe, remove all such tracks and structures connected therewith from the streets, avenues, public reservations, or other property of the United States on all the lines to be abandoned as aforesaid. Said Baltimore and Ohio Railroad Company shall also immediately execute, acknowledge, and deliver to the Commissioners of the District of Columbia a deed, in due form of law, granting, conveying, assigning, and transferring to the United States of America all the estates, right, title, and interest that it, the said Baltimore and Ohio Railroad Company, has in, to, or out of the lands included within the limits of the roadway or right of way of the Washington Branch Railroad of said company from the west line of Second street to Winthrop Heights station and of the Metropolitan Branch for the continuation of Third street from Q street south to New York avenue, of an even width as north of Q street, subject, however, as to so much of said lands as lie north of Florida avenue and outside of the limits of the city of Washington, to the continued maintenance and use of the present tracks of said railroad company thereon, for the purpose of reaching its yard and roundhouse at Trinidad, until its new yard in or near Eckington and its roundhouse, authorized by this Act, shall be ready for use, but not exceeding six years from the date of the passage of this Act; said company, however, to have the right to remove its tracks and structures from the lands so granted within sixty days after the expiration of its right to maintain and use its tracks thereon.

In consideration of the surrender by the Baltimore and Ohio Railroad Company, under the requirements of this Act, of its rights under the several Acts of Congress heretofore passed, and under its several

contracts with the municipal authorities of the city of Washington authorized by said Acts of Congress, and in consideration of the large expenditures required for the construction of the new terminals, viaduct, and connecting railroads, as required by this Act, to avoid all grade crossings of streets and avenues within the city of Washington, and, further, in consideration of the grant and conveyance to the United States of the lands included within the limits of the roadway and right of way of the Washington Branch Railroad, which can be used for a street or avenue for the public benefit, the sum of one million five hundred thousand dollars, to be paid to said railroad company toward the cost of the construction of said elevated terminals, viaduct, and structures within the city of Washington, shall be, and is hereby, appropriated, one half to be paid out of any money in the Treasury of the United States not otherwise appropriated, the other half to be paid out of the revenues of the District of Columbia. The sum so appropriated shall be paid upon presentation of a certificate by the Commissioners of the District of Columbia that the said viaduct has been completed as required by this Act.

In order to provide for the one half of said amount chargeable to the District of Columbia, the Commissioners thereof shall, on the first day of July following the passage of this Act, and annually thereafter, pay over to the Treasurer of the United States, out of the revenues of the District of Columbia, the sum of one hundred and fifty thousand dollars, to be invested by the said Treasurer in interest-bearing bonds of the United States or the District of Columbia, until the full sum of seven hundred and fifty thousand dollars, as provided herein, shall have been paid.

SEC. 9. That the property occupied by the Baltimore and Ohio Railroad Company, or by the proposed terminal company, under authority of this Act, together with the improvements which may be put thereon, shall be subject to tax by the District of Columbia the same as other property in the District of Columbia: *Provided*, That no assessment, valuation, or tax shall be made or levied on the railroad or terminals located, constructed, or maintained under the authority of this Act in excess of that which would or could be lawfully made, laid, or levied if said railroad and terminals were so located, constructed, and maintained without the use of bridges, viaducts, retaining walls, and other structures necessary or properly employed to elevate the same as required by this Act, it being the true intent and meaning hereof that the railroad and terminals hereby authorized shall be assessed and valued for purposes of taxation and taxed on the same basis as if the same were not constructed and maintained by means of such bridges, viaducts, retaining walls, and other structures.

SEC. 10. That if, for the purpose of constructing and owning the terminals, viaduct, railroads, depots, stations, and other works authorized by this Act, or any part thereof, the Baltimore and Ohio Railroad Company shall deem it expedient or advisable that a terminal company in its interest be created and organized in the District of Columbia, the said Baltimore and Ohio Railroad Company, or some person thereto authorized on its behalf by resolution of its president and directors, together with other persons not less than seven in number, of whom a majority shall be residents of the District of Columbia, shall cause a certificate of incorporation to be executed and recorded in accordance with the provisions of the general incorporation Act of Congress

for the District of Columbia relating to railroad companies, being sections six hundred and eighteen to six hundred and seventy-six, both inclusive, of the Revised Statutes relating to the District of Columbia, with such capital stock, not to exceed five million dollars fully paid up, and under such corporate name as may be set forth in such certificate. The corporation so formed shall be vested with all the authority, rights, and privileges granted by said general Act, but the Baltimore and Ohio Railroad Company, or such persons as it may designate by resolution of its president and directors, shall be entitled to subscribe for and hold all the stock of said corporation, without advertisement or allotment, as provided in said sections six hundred and twenty-one and six hundred and twenty-two of said Revised Statutes. Said corporation shall also be vested with and enjoy all the authorities, rights, and privileges herein granted, so far as the same are applicable to or exercisable in its undertaking, as set forth in its said certificate of incorporation, and it shall be bound by all the limitations and provisions of this Act. Said corporation shall have the further powers to contract with the Baltimore and Ohio Railroad Company for the use or operation of its railroad and works by the last-named company, or for the lease of the same, on such terms as may be agreed upon between the two companies, and shall also have the right and power, exercisable at any time, to sell and convey all its railroad, works, and property to the said Baltimore and Ohio Railroad Company in consideration of the latter company assuming all its debts and liabilities and agreeing to repay to every stockholder the amount of money actually paid in on the stock held by him.

On the execution, delivery, and recording of the deed of conveyance, pursuant to and in consummation of such sale, the said terminal company shall ipso facto be dissolved and its corporate existence shall cease.

In the event, however, that the said terminal company shall not be organized under the provisions of this Act then the privileges, powers, and duties herein conferred and imposed shall devolve exclusively upon the Baltimore and Ohio Railroad Company.

SEC. 11. That the Baltimore and Ohio Railroad Company and the terminal company incorporated as herein provided shall be authorized and empowered, from time to time, to take, acquire, and hold, in fee simple, all lands and property required for the terminals, stations, yards, railroad facilities, and other works authorized by this Act, either by purchase or by condemnation, as provided in sections six hundred and forty-eight to six hundred and sixty-three, both inclusive, of the Revised Statutes, relating to the District of Columbia: *Provided*, That in every case in which an assessment of damages or an award shall have been returned by the appraisers, the company upon paying into court the amount so assessed or awarded, may enter upon and take possession of the lands and property covered thereby, irrespective of whether exceptions to said assessment or award shall be filed or not, and the subsequent proceedings shall not interfere with or affect such possession, but shall only affect the amount of the compensation to be paid.

SEC. 12. That the Baltimore and Ohio Railroad Company and the Terminal Company, incorporated as provided in this Act, be, and they are hereby, authorized and empowered to locate, construct, maintain, and operate outside of the limits of the city of Washington a line

of railroad with one or more tracks extending from a connection with the Washington Branch Railroad and with the railroad authorized by the foregoing sections of this Act north of Winthrop Heights station by such route as the company may select as most practicable, and be approved by the Commissioners of the District of Columbia, to a connection with the Baltimore and Potomac Railroad and with the said Baltimore and Ohio Railroad Company's Shepherds branch at or near Bennings station; and in the location, construction, maintenance, and operation of the line of railroad authorized by this section the said companies may exercise all the authorities, rights, privileges, and franchises by this Act conferred upon and vested in them in respect of the lines of railroad authorized by the foregoing sections of this Act, outside of the limits of the city of Washington: *Provided*, That whenever in the construction of said line of railroad it shall be found necessary to cross any existing public highway of the District of Columbia the company shall submit to and file with the Commissioners of the District of Columbia proper plans showing the intended crossing, shall obtain the approval of the same by the said Commissioners, and shall construct such crossing only in conformity with such approved plan. Every such highway crossing shall be either over or under grade where practicable without increasing the grades on said railroad or causing unreasonable expense in construction; and for the purpose of avoiding grade crossings the Commissioners of the District of Columbia shall be fully authorized and empowered to change the grade of any such public highway so as to pass the same over or under said railroad, and to deflect or divert any such highway so as to pass over or under said railroad at a different point of crossing, and to close so much of the said highway as is abandoned; and the company shall acquire, by purchase or condemnation, at its own expense, all lands required to relocate such highways, and shall pay the cost of all new construction or work required to restore any such highway raised, depressed, deflected, or relocated as above provided, all of which construction and work shall be done to the satisfaction and subject to the approval of the said Commissioners.

SEC. 13. That all existing laws or parts of laws inconsistent with the provisions of this Act are hereby repealed to the extent to which they are so inconsistent, but to no further or other extent.

SEC. 14. That Congress reserves the right to alter, amend, or repeal this Act.

Approved, February 12, 1901.

Amendment suggested by Mr. Thomas W. Smith, president of the Washington Board of Trade.

JUNE 19, 1902.

Hon. J. W. BABCOCK,

*Chairman Committee on the District of Columbia,
House of Representatives, Washington, D. C.*

DEAR SIR: As requested, I write you, giving my views respecting the necessity for a street on the east side of the proposed new union railroad passenger station intended to be erected north of Massachusetts avenue and at right angles with Delaware avenue in the northeast section of the city, as provided for in Senate bill 4825, introduced in the House of Representatives May 16, 1902. Senate bill 4825 does not provide for a street on the east side of the proposed new union station. The location of the station and the authority given the railroad companies for its location under Senate bill 4825 closes F street, one of the thoroughfares between northwest Washington and east Washington and the country lying beyond. It is a level street east to the site of the new union station and beyond in the northwest, and therefore an easy-grade street for commercial and other purposes, and ought not to be, in my opinion, closed.

It can be kept open at no cost to the District or to the United States other than that which is provided in the bill referred to. The great height of the station above the surrounding property on its present level will injure the private property on the east of the station to such an extent as to make it come within the damage clause of the bill above referred to; therefore the houses fronting on E street and California street and F street, within 100 or more feet of the east line of the proposed union station, would be damaged to such an extent as to make them totally unfit for human habitation, and therefore will have to be vacated and torn down. This being a demonstrable fact, is it not wise to take heed of it now and provide in Senate bill 4825 for a street on the east side of the proposed new union station extending from the south front of the proposed station to F street NE., a distance of less than 300 feet? A provision in the bill in question for this street will keep F street open and will give an opportunity in the future for a street railway, which will be needed on an east-and-west street to relieve the congested condition to street-railroad traffic on H street.

The opening of this new short street has been petitioned for by the Northeast Washington Citizens' Association, whose president referred to it in his remarks before your committee yesterday, and also by the East Washington Citizens' Association. It was my intention, had I the time yesterday, to call the committee's attention to the necessity for this new street. It presents no financial feature calling for an appropriation other than that which will have to be paid in the future for damage to property by the new station alongside of private residences. The level of the new station will be higher than the roofs of the houses now located along its proposed east line. This is a simple business proposition, and an amendment to Senate bill 4825 will benefit a large number of people. The benefit which will arise from such an amendment is worth many, many times its cost.

Yours, respectfully,

THOS. W. SMITH,
President Board of Trade.

Report of the East Washington Citizens' Association.

WASHINGTON, D. C., March 31, 1902.

Hon. JOSEPH W. BABCOCK,

Chairman of Committee on the District of Columbia.

SIR: By direction of the executive committee of the East Washington Citizens' Association I have the honor to transmit herewith copy of preambles and resolutions in relation to damages caused to owners of property by changes of grade on account of the proposed new union station.

The preambles and resolutions have been approved by the committee, and such consideration is asked for them as the importance of the subject is believed to demand.

Yours, respectfully,

A. F. SPERRY, *Secretary.*

In this connection permit me to individually suggest that provision be made in the bill for a board of appraisers to determine and award the damages mentioned, with provision for right of appeal, so that those inclined to accept a fair award might be saved the necessity for litigation.

A. F. SPERRY.

Whereas from the public prints it appears that in order to accommodate the union station on Massachusetts avenue, as proposed by the bill now pending in Congress, the elevation of the streets at that point will be raised, variously estimated at from 30 to 60 feet; and

Whereas it is said the city surveyor has stated that the streets leading up as an approach to said station so proposed should be on a grade not greater than 4 feet to 100 feet; and

Whereas the change in the elevation of the streets approaching said union station would extend from the outer line thereof for a distance from 800 to 1,500 feet before finally reaching the present grade of the surrounding streets; and

Whereas the change of the grade as aforesaid would so damage certain property of the owners abutting on the said streets to such an extent that the result would be a virtual confiscation of said owners' property: Therefore, be it

Resolved by the East Washington Citizens' Association, That it is the sense of this association—

First. That a clause should be inserted and contained in the bill finally enacted into law permitting the establishment of said union station at said point; authorizing and giving the right to every owner of property abutting on any of said streets, alleys, and other fronts, grades of which shall be changed by reason of the said legislation, to institute and maintain before the supreme court of the District of Columbia a suit for consequential damages sustained by said owners to their said property, and giving said court jurisdiction for that purpose and to award judgment for the same, either jointly or severally, against the railroad companies, the proposed terminal company, and the District of Columbia.

Second. That a copy thereof be transmitted by the secretary of this association to the chairman of the District Committees on the part of the House and on the part of the Senate, respectively, to the District

Commissioners, the Washington Board of Trade, the Business Men's Association, and the president of the Northeast Citizens' Association.

Third. That the proper officers of this association and the committee on steam railroads be, and the same are hereby, authorized and directed to make every effort to have every clause contained in said proposed railroad legislation, and for this purpose are authorized and directed to appear before the District Commissioners and proper committees of Congress in advocacy thereof.

Attest:

A. F. SPERRY, *Secretary.*

MARCH 31, 1902.

Mr. A. J. Buehler suggests change in location of union station.

WASHINGTON, D. C., June 7, 1902.

Hon. J. W. BABCOCK, M. C.

DEAR SIR: I would respectfully call your attention to a very serious defect in the bill legislating for a union depot as passed by the Senate and now before your honorable committee. I refer to the building up and subsequent obstruction of F street because of the proposed frontage of this station on Massachusetts avenue. You will find that this could be easily avoided by fronting the station on F street, and using the triangular space between F street and Massachusetts avenue for the proposed parking in front of the building. This street is one of the principal and most direct thoroughfares in the city, it being possible to easily discern from Twelfth and F streets NE., looking westward, the Treasury building where it obstructs the further progress of the highway.

General Grant, when he was President, made the public assertion that F street was destined to become the principal street of the city, and I would ask your kind consideration regarding the destruction of this grand highway, which could be preserved in all its beauty without materially affecting the plans or calculations of the railroad or other interests, as the change necessary to acquire this end would necessitate a setback of about 300 feet at the eastern extremity of the depot building and of about 50 feet at the western extremity. Furthermore, this frontage would place the building at right angles, and in my humble opinion would prove more satisfactory in every way.

Yours, truly,

A. J. BUEHLER.

Mr. W. Mosby Williams suggests amendments to cover damages.

APRIL 11, 1902.

HON. J. W. BABCOCK,

Chairman House District Committee, Washington, D. C.

DEAR SIR: I inclose herewith copy of letter addressed to the honorable Commissioners of the District of Columbia, suggesting certain amendments to the bill providing for a union railroad station (S. 4825).

Yours, very truly,

W. MOSBY WILLIAMS.

APRIL 11, 1902.

The COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

GENTLEMEN: If I am correct in assuming that you have not sent your final report to Congress on the bill to provide a union railroad station in this District (S. 4825), I beg to suggest that the following be substituted for lines 4 to 8, inclusive, and part of line 9, page 14, of the said bill, viz:

"All damage to adjacent or contiguous property resulting from, incidental to, or connected with changes in the grades, or the closing of the avenues, streets, alleys, ways, or other spaces, or other changes or improvements authorized by this act shall be borne, paid for, and defrayed by the District of Columbia, and shall be recoverable by action at law against the said District on the part of the owner of the property so damaged."

And add at the end of line 15, same page of said bill, viz:

"*And provided further*, That two or more persons entitled to recovery as hereinbefore provided, may, at their option, join in one action, wherein the several counts of the declaration shall set forth the cause of action and the amount of damage claimed by each of such persons, respectively, and the jury, in returning their verdict, under the provision last aforesaid, shall render the same under each count separately in favor of or against such persons as aforesaid, and the judgment thereupon shall be rendered accordingly by the court; and the court shall have power to apportion the costs of such suit where there are two or more plaintiffs upon the motion of any one of them."

The effect of these suggested changes would be, in my opinion, to more clearly define and enlarge the scope of damage which may be sustained by property owners, and also to avoid the necessity, as at present would be the case, of bringing separate suits in the name of each property owner.

I am transmitting a copy of this letter to the chairman of each the Senate and House of Representatives Committee on the District of Columbia.

Yours, very truly,

W. MOSBY WILLIAMS.

Capt. J. P. Walker suggests appointment of a railway commission.

The union station and terminal questions are primarily business ones. It must be admitted that the United States and the city of Washington, which is coterminous with the District of Columbia, are the parties of the first part, and the Pennsylvania, or what is in this case practically the same, the Baltimore and Potomac, the Baltimore and Ohio, and other railway companies, are the parties of the second part. Whatever rights these railway companies now legally possess within the District of Columbia have been granted them by the United States, acting for the District of Columbia and city of Washington, and these or other railways can only come into the District by grant of Congress, and they can not operate railways in the District except by act of Congress. Certain railways now have quasi rights, not in fee simple, of operation and partial possession within the District limits.

By the legislation of Congress last session the Pennsylvania, or Baltimore and Potomac, and Baltimore and Ohio were authorized to hold their present partial possessions with a slight change of the station of the Baltimore and Ohio. But new legislation which has passed the Senate in this session makes radical changes, proposing to remove the Pennsylvania Railway from the Mall and the Baltimore and Ohio station from its present location to a union-station site at Massachusetts avenue, between North Capitol and First streets NE.

There are numerous other sites proposed for a union station. The two principal railway companies interested, viz, the Pennsylvania and Baltimore and Ohio, through their representatives, announce plainly that they were not movers from the legislation of last session, but are willing to accept the proposed legislation this session. The question is resolved to a simple proposition: The railway companies wish to obtain the best terms they can, and consequently the United States and city of Washington should try to make the best bargain they can.

It does not appear that the present bill is best for either of the contracting parties, and therefore the proposition of the railroad committee of the Washington Board of Trade for the establishment of a commission to investigate and make report upon the entire question seems to be the only logical proper basis of settlement of the question. Let such a commission, with the Chief of Engineers, United States Army, at its head, one, two, or three of the best civil engineers in the United States, and a number of prominent citizens, lawyers, and business men—part from the District and part from the United States, to represent the United States and District of Columbia—and one engineer or other representative from each railroad interested be authorized to investigate the entire question from the beginning, in all its particulars, to hear all plans and statements from all parties interested, and to choose a site or sites for union or other stations and fix terms upon which the stations shall be built and occupied, and make report accordingly. It is true that the questions should be settled as quickly as possible, but as the legislation of last session and this also proposes five years in which the changes are to be made, one year more for the action of the commission will not make any vital difference.

Let all just claims of the railway companies be fully examined into and reported upon and just compensation for any damage or extraordinary expense involved in changes made by the commission's plans and propositions accorded. The United States and District of Columbia, recognizing that railroad service is necessary, should not wish to make unjust or extortionate demands upon the companies; but as the railways are in the business to make money, they should be compelled to pay properly for the privileges granted. A commission such as is proposed is the only way in which a just, proper, and equitable solution of the problem can be arrived at. The many intricate and difficult problems involved in the entire question have never been thoroughly exploited, at least on the side of the United States and city of Washington, and the varying, feeble, and imperfect examinations into these difficult questions from time to time and year to year by the different citizens' associations and the Board of Trade could not in the nature of things do justice to the questions. A proper commission is alone competent to act on such a grave and difficult problem.

J. P. WALKER,
Captain, U. S. Army (Retired).

Views of S. S. Daish & Sons.

WASHINGTON, D. C., June 18, 1902.

Hon. J. W. BABCOCK,

House of Representatives, Washington, D. C.

DEAR SIR: We observe that the present bill providing for union station does not provide that before the streets to be closed cease to be thoroughfares the railroad or the terminal companies authorized under the act shall secure the abutting property, as is provided in the act of February 12, 1901. It seems but right that before a street, road, or avenue shall be closed, the owners of abutting property should be compensated.

Yours, very truly,

S. S. DAISH & SONS.

President of the Columbia Institution for the Deaf and Dumb, Kendall Green, favors pending measure.

WASHINGTON, D. C., June 19, 1902.

Hon. JOSEPH W. BABCOCK,

Chairman of the Committee on the District of Columbia.

DEAR SIR: I intended to ask the privilege of saying a few words to your committee to-day in reference to the bill now before you to provide for the erection of a union railway station in this city, but I am informed that the hearings on this subject were closed yesterday. I should be glad to express to the committee the opinion of many residing here at this institution in favor of the arrangements for a union station as proposed in the pending bill.

I hope that all the substantial features of the bill may be carried out, for it seems to me a wise measure and one that deserves the support of all the people of the District.

Very respectfully yours,

E. M. GALLAUDET,
President.

Brightwood Park Citizens' Association, favor present bill.

JUNE 19, 1902.

Hon. J. W. BABCOCK,

House of Representatives.

SIR: Our citizens' association desires to go on record as giving our heartiest support to the railroad union station bill for the abolition of grade crossings in the District of Columbia as the said bill passed the Senate, and to urge with all possible speed its passage through the House in its present shape.

I am, very truly, yours,

W. McK. CLAYTON.

Submitted by Joseph Bradfield.

PENNSYLVANIA'S TUNNEL PLAN APPROVED.

[Rapid transit commission accepts it and the board of aldermen will be asked to do likewise to-day—Trains from Jersey to Queens in five years—The franchise is worth \$50,000,000, and the city will get \$2,478,315 in twenty-five years, then for a readjustment—The mayor happy over the day's work—What the tunnel franchise means: Estimated value of franchise, \$50,000,000; city gets for first twenty-five years, \$2,478,315; trains to be running under river and ground, Jersey City to Queens Borough, within five years; work to begin within three months after property consents obtained.]

The mayor succeeded yesterday in inducing the rapid transit commission to approve the Pennsylvania franchise for a \$50,000,000 railroad tunnel from New Jersey, under the Hudson River, Manhattan Island, and the East River, to Long Island City.

The board of aldermen will be asked to act to-day. Should they act favorably the mayor will sign the franchise at once, and should the Pennsylvania Company fulfill its contract, trains will be running under river and ground between Jersey City and the borough of Queens within five years.

The mayor believes the interests of the city are amply protected, in that the railroad corporation must pay into the municipal treasury \$2,478,315 for the first twenty-five years, the terms being subject to readjustment at the expiration of that period. So elated is the mayor over yesterday's event that he prophesied that an agreement between the city and the New York Central and New York, New Haven and Hartford Railroad companies, for the immediate improvement of the Park Avenue tunnel and the construction of the suburban transit loop would be reached very soon.

The mayor personally attended yesterday's meeting and argued for decisive action. After the report of the subcommittee, comprising Alexander E. Orr, Charles Stewart Smith, and Comptroller Grout, recommending the granting of the franchise had been read, the mayor offered an amendment, which in effect made the grant by the city in perpetuity of rights as follows, etc., subject, however, to a periodic readjustment of payments at intervals of twenty-five years. The mayor explained that his object was to protect the city in every possible way.

The mayor's motion was adopted.

WHAT THE FRANCHISE MEANS.

Here is a synopsis of the grant as indicated by the report of the sub-committee:

The Pennsylvania Railroad Company is permitted to construct a two-track railroad, beginning at the New Jersey shore, thence under the Hudson River to West Thirty-second street; thence under Manhattan Island along Thirty-second street to the East River, and under that river to the terminus in Queens Borough, with a right for two additional tracks on Thirty-second street west of Ninth avenue and one additional track between Seventh and Fifth avenues in Manhattan Borough.

The Pennsylvania company is authorized to build a two-track railroad at the station terminal at Thirty-third street and Seventh avenue; thence running under Thirty-third street and the East River to the terminal in Queens Borough, with the privilege of one additional track in Thirty-third street between Seventh and Fifth avenues.

Five years are allowed for the completion of the railroad and tunnel, the company having pledged itself to begin the work of construction within three months after obtaining consent of property owners, etc.

For the franchise the company is to pay the city these sums annually:

	First 10 years.	Next 15 years.
For river rights	\$200	\$200
For tunnel rights in Manhattan Borough, being 44,341 feet (partly estimated) of single track	22,170	44,341
For tunnel rights in Queens Borough, being 8,100 feet (partly estimated) of single track	2,025	4,050
For street rights on Thirty-first and Thirty-third streets, north and south of terminal	14,000	28,000
For secondary station at Thirty-third street and Fourth avenue	1,140	2,280
For portions of Thirty-second street	36,000	36,000
In all, per annum	75,535	114,871

As to the ability of the company to perform its contract the sub-committee reported:

"Your committee has received satisfactory assurance of the pecuniary responsibility of the applicant corporation and submits a letter from A. J. Cassatt, president, in which he states that the total authorized stock of the applicant corporation is \$21,000,000, of which \$10,000,000 has been subscribed for and paid for in full; that of such \$10,000,000 the Pennsylvania Company owns \$9,991,000; the remainder of the paid-up capital being held by directors."

The mayor left the meeting with a gleeful smile. So did Edward M. Shepard, his Democratic rival at the polls last November. On returning to the City Hall the mayor approached an American representative and said:

"I have some good news for you and for the people of the city. The rapid transit commission has just approved the Pennsylvania Railroad tunnel franchise and another great march toward real rapid transit has been taken. I am more than gratified at to-day's act and hope the board of aldermen will follow suit either to-morrow or very soon.

"The terms of the contract between the city and the railroad company secure the city amply and add generously to the municipal revenues. While it has been said that the franchise is in a sense in perpetuity, the contract expressly states that a readjustment shall be made by the city every twenty-five years. Thus the interests of the city will be looked after very carefully, you see."

"Does the granting of this franchise portend similar action with regard to the New York Central Railroad Company?"

"The city authorities are consulting frequently with the New York Central and New York and New Haven officials, and we hope very soon to reach a satisfactory conclusion with regard to Park avenue and the proposed loop. The granting of the Pennsylvania franchise will, in my judgment, hasten the perfection of other rapid-transit plans, and I shall be indeed delighted at that."

Veto of Boston subway—Governor Crane states his reasons—“It involves a surrender of public rights for an unusual term of years.”

The following is the text of Governor Crane's message to the Massachusetts legislature vetoing the Boston subway bill (H. R. No. 1449):

EXECUTIVE DEPARTMENT,
Boston, June 18, 1901.

The honorable Senate and House of Representatives:

I return herewith without my approval an act entitled "An act to provide for the construction of a system of subways in the city of Boston by the Boston Transit Commission," with my objections thereto in writing.

A TYPICAL JOB DESCRIBED.

The bill authorizes the Boston Transit Commission to construct a subway, with several important branches, under or near Washington street, from Broadway to the north end of the city of Boston, the entire expense thereof and all damages arising thereby to be paid by the city of Boston. It is provided that the Boston Elevated Railway Company shall pay to the city a sum not exceeding \$6,000,000 toward the payment of all expenses and damages incurred in carrying out the provisions of the bill, and shall have as compensation therefor the free and exclusive use and occupation of the subway for a term of forty years. I am aware that in section 13 it is provided that the entire cost of the new subway, the expense of its maintenance and all repairs of whatever nature during the term of the lease shall be paid by the company; but this language is not sufficient to modify the explicit provisions of section 10 that the contribution of the company shall not exceed \$6,000,000. The provisions of section 10 operate as a distinct limitation upon the provisions of section 13, and in no event can the Boston Elevated Railway Company be required to pay more than the sum named in section 10.

This amounts to a lease of the proposed subway when constructed to the Boston Elevated Railway Company for a gross rental of \$6,000,000, paid in advance. If the cost of the subway does not exceed \$6,000,000, this rental, on the basis of $\frac{1}{5}$ per cent, the rate of the lease of the existing subway, taking into consideration the advantageous investment of the sinking fund provided for by the bill, would enable the company to make itself whole in from thirty-two to thirty-five years, and would give to the Boston Elevated Railway Company the free and exclusive use of a great artery of public travel for from five to eight years without any compensation whatever. It is fair to assume that the sinking fund would be invested so as to bring about this result, but if not so invested the rental for the term would not exceed $\frac{1}{5}$ per cent, the minimum rental of the Tremont-street subway; but the lease of the latter provides also for an increase of the rent proportioned to the amount of business done by the lessee. There is no such provision in the lease authorized by this bill. However much the volume of transportation may increase, the lessee, not the city, will receive the benefit. This provision, which is omitted in the present bill, making the amount of rent proportionate to the volume of business, is wise and equitable.

But there is no assurance that the subway can be constructed for

\$6,000,000. If, as is very likely to be the case, the cost is in excess of that sum, not only is the rental of the subway proportionately decreased, but the excess must be paid by the city without reimbursement from any source. To the extent of such excess of cost the subway will be constructed at the expense of the city for the benefit of the proposed lessee.

Under the terms of the bill the Boston Elevated Railway Company has three months in which to accept its provisions, and it does not become a law unless so accepted by the company. No such privilege is given to the city. Such a discrimination in favor of one of the two parties affected by the bill is, in my opinion, unjust and unwarranted.

THE REFERENDUM APPROVED.

Previous legislatures have referred to the city of Boston, for its acceptance or rejection, acts relating to rapid transit. And the results of the ballots so taken show that the voters have acted intelligently, and with a full understanding of the issues involved. In the year 1893 two acts were passed, one providing for the construction of an elevated railway and the other for a subway. Both were conditioned upon their acceptance; the former by the voters of the city of Boston, the latter by the city council. The elevated railway bill was rejected by the voters, but the subway bill was accepted by the city council. The subway bill of 1893, however, was found to be inadequate, and a more comprehensive act was passed in 1894. This act also contained a referendum clause, and it was accepted by the voters. In 1899 a statute was enacted providing for the restoration of the surface tracks to Tremont and Boylston streets, which, under the provisions of the act of 1894, had been removed. This act also provided for a referendum to the voters of Boston, and was by them rejected. I see no good reason why these precedents should not be followed in a bill so important and far-reaching in its consequences to the citizens of Boston as is the one before me.

STOCK WATERING DENOUNCED.

The bill is objectionable for the further reason that it is in violation of the spirit of the statutes designed to prevent stock watering, laws whose wisdom has been so far confirmed by experience that all attempts to modify or repeal them have failed. The essence of stock watering is—I take it to be—the issuance of stock not based upon actual property of the corporation. This bill provides that the money to be paid to the city of Boston may be provided for by issuing stock; but no provision is made for the redemption or cancellation of the stock at the end of the term. The money so paid is, in fact, expended, not for permanent improvements, but for rentals, and does not increase the value of the plant of the company. At the end of forty years the stock is free, and will be held by the company without property to show for it. There is, it is true, a provision for a sinking fund, but none whatever that the proceeds of the sinking fund shall be used to retire the stock so issued.

PUBLIC OWNERSHIP APPROVED.

Section 9 of the bill provides that the title and ownership of the subway shall be and remain in the city. I see no objection to this

provision, but by section 22 of the bill it is provided that section 9, among others, shall have the force and effect of a contract between the Commonwealth and the company. There is no good reason why any such contract should exist. On the contrary, there are many reasons of public policy why the Commonwealth should not enter into a binding contract with a private corporation and its lessees relating to a matter with which the corporation will have no concern after the termination of its lease.

The act of 1894, authorizing the construction of the existing subway, made careful provision in section 30 for the relocation by the commission of sewers, gas pipes, water pipes, and other conduits; but the section of the present bill referring to the same subject (section 8) makes no such provision. It authorizes the commission to remove all such structures, but does not provide for their relocation or accommodation, either within or without the new subway; and it is doubtful whether they could be located within the new subway, even if in the judgment of the authorities they could be so placed without detriment to its use by the railway corporation. This, in mind, is an important omission. The structures to which I refer are allowed to be placed beneath the streets for the public convenience, and explicit provision should be made for a continuance of their rights.

PUBLIC RIGHTS MUST BE PRESERVED.

But there is a still more serious objection to the bill. It involves a surrender of public rights for an unusual term of years, and under unusual conditions. No street railway, with the exception of certain privileges heretofore assured to the West End Street Railway Company and the Boston Elevated Railway Company for special reasons, has other than a revocable franchise in a public way.

But this bill will, if it becomes a law, gives to a private corporation a valuable monopoly in a great public thoroughfare and will perpetuate that monopoly for forty years. It not only binds this generation; it ties the hands of the generation to come. The surrender of rights which belong to the public, even for a brief term of years, should be permitted only after the most careful consideration, and for controlling reasons of public policy; but no exigency has been shown to exist to justify the taking away of such rights from a generation yet unborn.

No reason affecting the public welfare requires the adoption of this extraordinary proposition. The rapid transit of passengers by means of a subway is no longer an experiment. There can be no reasonable doubt that if such a structure be built and paid for by the city it can be leased to a transportation company for a sum amply sufficient to take care of the interest on the money borrowed therefor and to provide a sinking fund for its ultimate redemption.

The charter of the Boston Elevated Railway Company, giving it certain exclusive rights for a period of twenty-five years, was granted to it chiefly upon the ground that the construction of an elevated railway, and the payment of damages that might accrue to abutters thereby, would involve so large an expenditure that capitalists would not be expected to invest their money without some assurance of permanency for a fixed term. The act of 1894, providing for the construction of the present subway, authorized the Boston transit commission to

lease it for a term of fifty years; but the legislature of 1897 wisely cut down this period from fifty to twenty years. Neither of these grants, therefore, constitutes a sufficient precedent for the long term authorized by this bill.

THE HANDS OF THE COMMUNITY MUST NOT BE TIED.

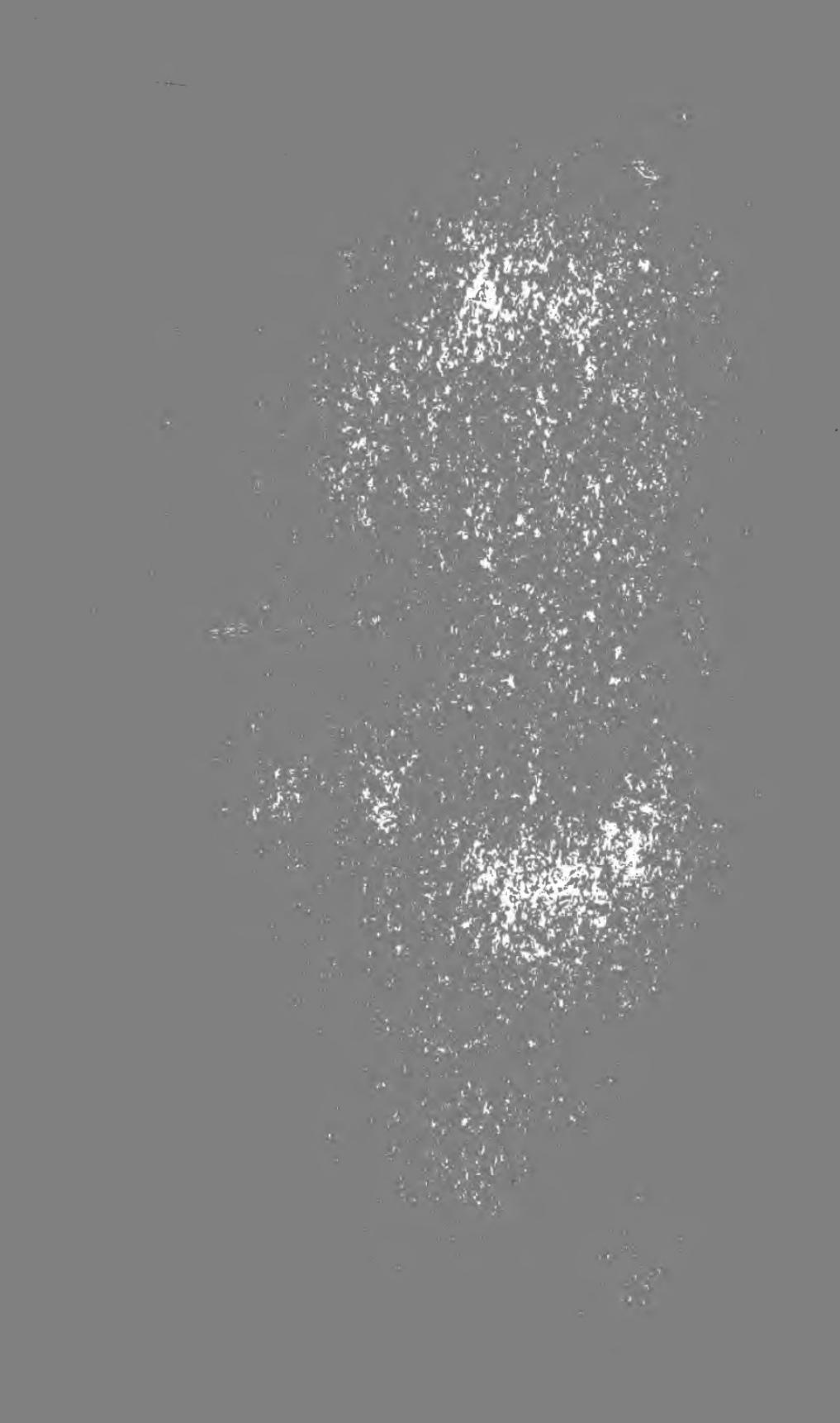
No one can foresee what advance may be made in the methods and cost of transportation, in the volume of travel, or in the facilities that may be required for its accommodation in the next forty years. The history of passenger transportation during the last forty years, and of the wonderful advance that has been made, not only in the amount of travel but in the facilities afforded to passengers, is sufficient evidence of our inability to predict the future. This bill, however, while it does not restrict the company, ties the hands of the community. It will prevent the public from taking advantage of any such improvements in transportation facilities on the proposed route, excepting those that may be deemed by the company advantageous to it. A consideration of the disastrous results which would have followed if exclusive rights had been granted to a street railway company forty years ago to continue until the present time, illustrates the limitations which this bill would impose upon the public and the unwisdom of its enactment.

All the special rights and privileges enjoyed by the Boston Elevated Railway Company will have expired in the year 1902.

It has no moral or equitable claim to a continuance of those privileges or of any exclusive privileges whatever. There is no good reason why the public should not at that time come into complete possession of its own, to the end that further franchises may then be granted in view of the improvements in the methods of rapid transit which may then have been made, and with the sole object of securing, in the highest degree and at the lowest cost, the convenience of the people of that day. But this bill, if approved, would go far in assuring a continuance of the command of the situation for a period of twenty years more. Although its rights in the existing subway will have ended, it is not difficult to foresee that a company in exclusive possession for a long term of years of a most important avenue of travel will be in a position to control the situation and to prevent other transportation companies from competing upon equal terms. No such opportunity for control of the situation at that time should be permitted.

I am unable to give my assent to a bill which thus restricts the rights of the public on the one hand, while on the other hand it insures valuable exclusive privileges to the company in question for so long a period, and that, too, without any public exigency requiring the passage of so extraordinary a measure.

W. MURRAY CRANE.





LIBRARY OF CONGRESS



0 016 110 115 1